UNIVERSITY OF ILLINOIS
5 JUN 1914

THE

CHARTER

OF THE

CITY *of* SEATTLE

PREPARED AND PROPOSED BY THE
FREEHOLDERS ELECTED
MARCH 3,
1914

Seattle, Wash. - Charters

ELECTION: TUESDAY, JUNE 30, 1914

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Statement of the Charter Revision Commission

TO THE VOTERS OF THE CITY OF SEATTLE:

We hereby submit for your consideration the proposed new charter, framed for efficient and democratic municipal government.

In the preparation of this charter, the Commission has sought information and suggestions from every source. Present and former city officials and others trained in municipal affairs have given the Commission the benefit of their experience. The charters of other cities, especially those recently adopted, have been carefully examined and studied. From all of the data thus acquired, the Commission has earnestly tried to construct the best charter possible. It has retained the provisions of the present charter where the same are adequate and where new ideas are introduced it has fitted them to the needs of our own city.

To enable the voters to obtain a comprehensive view of the more important provisions of the proposed charter, the following brief outline is submitted.

A simple and effective preferential system of nomination and election has been adopted. Under it, primaries are eliminated and the voters express, if they choose, as many preferences as there are candidates. The only elective officers are the mayor and councilmen, elections being held once in two years. Statutory notice of election is reduced to two publications, but actual notice is given by mailing sample ballots to each registered voter one week before the election.

There will be a council of thirty members elected from thirty districts, each district including, as near as may be similar community interests and voting strength. A councilman need not be a resident of the district from which elected. The city manager, comptroller, treasurer and corporation counsel have seats in the council with the right to take part in discussions but without a vote. Each councilman is to receive five dollars for each meeting attended, not exceeding sixty a year. The council's functions are limited strictly to legislation, excepting it appoints the city manager, comptroller, treasurer, clerk and corporation counsel by a vote under the preferential system.

The provisions of the present charter as to liquor licenses, initiative and referendum, recall, minimum wage and hours of labor are retained.

The mayor will receive a salary of five thousand dollars per year, will preside over the council and is the head of the police department, with power to appoint and remove the chief of police. He also appoints the civil service board, park board, library board and the board of public welfare. No confirmation of his appointments by the city council is required, and on the other hand, he has no veto.

A board of public welfare is created, consisting of three non-salaried commissioners who have charge of all public charitable, correctional and reformatory institutions and agencies, but with no power or supervision over any such institutions not owned by the city. A free employment office is also placed under this board.

The administrative work of the city is placed under the city manager, who is to receive a salary of twelve thousand dollars a year and can be selected from either within or without the city. The manager is subject to removal by the city council upon a two-thirds vote, and is also subject to recall by the people. Under the city manager are the divisions of engineering, public utilities, streets and sewers, water works, lighting, building, fire protection, health and sanitation and contracts, purchases and supplies and such other administrative divisions as may be created by the council. The last named is a new division which will have charge of making all purchases for every department of the city and of assembling data, and advertising, for all contracts. The city council may, upon recommendation of the manager, discontinue any division or combine any two or more divisions.

A board of awards and adjustments is created, consisting of the city manager, comptroller and corporation counsel. This board awards all contracts, adjusts and certifies for payment all bills, pay rolls and claims, and hears applications for certain permits, such as for the erection of stables, laundries, etc.

There is a department of audits and accounts, of which the city comptroller is the head. It keeps the accounts for all departments and has general supervision over the city's financial affairs. The comptroller is also secretary of the board of awards and adjustments.

The law department and department of finance have practically the same duties as under the present charter.

Work on any local or other public improvement may be done either by day labor under the direction of the

manager or by contract. All purchases of supplies and materials in excess of three hundred dollars must be let, after advertising, to the lowest bidder.

An annual budget must be made by every department and submitted to the board of awards and adjustments, whose duty it is to submit as complete a budget as possible to the city council. The budget adopted by the council is to be the basis for the expenditures for the ensuing year and no deficiencies can be created except in case of extraordinary emergency, and then only by a four-fifths vote of the entire city council. Any officer of the city allowing an overdraft of any budget fund is made personally liable therefor.

The total tax levy for any one year for all purposes, except for the payment of the interest and principal of the general bonded indebtedness of the city, shall not exceed twelve mills on each dollar of the assessed valuation of property in the city.

Provision is made for an efficient civil service, providing for selection and promotion on the merit system. Transfers of employes may be made from one department to another and effective provisions for removal of inefficient employes are made.

The present franchise requirements are retained, excepting that the provisions relative to new franchises are not made retroactive and a section is added requiring the putting in of a joint user clause in all steam railroad franchises hereafter granted. An alternate proposition is submitted allowing extensions in residence districts on other than trunk or canyon route lines, without the insertion in the franchise, if the council so sees fit, of the common user clause or the provision for the revocation of the franchise. Before becoming effective, this alternate proposition must receive a majority of the votes cast.

The charter allows the establishment of a city official paper to contain proceedings required by law to be published, but nothing of a political nature nor anything else shall be published therein unless it pertains strictly to the city's business.

The mayor and councilmen are elected for terms of two years. The appointive officers hold for terms of four years unless sooner removed.

The provisions in regard to the park and library boards are similar to those in the present charter, excepting that the library board is reduced to five members.

The charter will take effect March 15, 1915, upon the election and qualification of a mayor and councilmen. All other officers and employes hold office until their succes-

sors are appointed and qualified under the provisions of the charter. It is the express intention to continue the existing city government to March 15, 1915, except in matters relating to nominations and elections, which are in force on and after January 1, 1915.

The principal reasons governing the Commission in making this charter and the results hoped to be obtained from the adoption thereof are briefly as follows:

The charter seeks to separate the policy making or political side of the city government from the administrative or business side. It recognizes the fact that in the most successfully governed cities, the best policy making bodies are composed of citizens who donate their services for the welfare of the community and whose only reward is the honor of the position. Notable examples in Seattle are the park board, library board and school board. Therefore, the pay of the city council is fixed at a nominal figure and the other boards, such as the park board, library board and civil service commission will serve without pay. On the other hand, in the administrative or business side of the government, where the entire time of the men engaged must be given, the work can be best done by trained experts receiving adequate salaries. These men should be selected for their ability, knowledge and integrity and the Commission realizes that while the voters generally, if they could secure accurate knowledge of the fitness of the candidates for administrative positions, would probably make wise selections, yet their opportunity of making investigations of such candidates, is so limited that it is thought better to have such expert administrators appointed. It is also important that administrative officers do not become involved in political campaigns, and it is further true that as a rule trained experts will not become candidates for elective office.

A system of district representation for the legislative body is adopted because it is more representative of all classes of our citizens. The voters will have a better opportunity to become acquainted with their district representative and in case he does not follow their wishes it is much easier to apply the recall. In a city as large as Seattle, very few voters can become acquainted with the various candidates for the council where they are elected at large and as a result men can only be elected at large through powerful newspaper support or the expenditure of much money. The proposed district system is not to be compared with conditions under the old ward system, as since the ward system was in vogue great changes have taken place. The party boss and ward caucuses no longer exist but instead the electors will vote directly for the candidates under a non-partisan preferential system.

Some question might be raised as to the ability of a large council to agree on appointments, but under the method of preferential voting required for the filling of positions by the council there can be no deadlock as is the case now.

Under the new system, instead of having a primary and final election each year, there will be but one election each two years, thus saving three-fourths of the cost of the present system. The dispensing with the useless published notice of election and the substitution of actual notice in the form of sample ballots mailed to each registered voter will give effectual notice of the men and measures to be voted upon.

By placing the police department under the mayor, the ever recurring police question is divorced from the administrative side of the city government and the service of an able manager will not be lost on account of political questions arising from the enforcement or non-enforcement of police laws. If the people do not agree with the policy of the mayor on police questions they can recall him or elect a new one without disturbing the general business affairs of the city.

The changes provided in the civil service provisions will give a better opportunity for the able, industrious employe to advance and at the same time allow the department heads to weed out the inefficient and with the power given to transfer men from one department to another as the need arises, will allow better work to be done at less cost.

We believe that the majority of the people of this city want democracy and efficiency combined, and that the form of government proposed by this charter gives the voters full control over the policies of the city and the opportunity, if these policies are not properly carried out, to fix the responsibility therefor and to make the necessary change. The form proposed is composed of the best features we found in scientific and successful modern municipal governments. It is not a panacea for all ills of city government but with the cooperation of the voters of this city it is a long step forward to a more efficient business government and more perfect democracy.

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THE CHARTER

OF THE

CITY OF SEATTLE

Prepared and Proposed by the Freeholders
Elected March 3, 1914

GENERAL POWERS OF THE CITY

Section 1. The municipal corporation now existing and known as "The City of Seattle" shall remain and continue a body politic and corporate by the name of the City of Seattle, and as such shall have perpetual succession; may use a corporate seal, may sue and be sued, may acquire real and personal property within and without the corporate limits of the City of Seattle by purchase, eminent domain, lease, gift and devise, and may sell, convey, lease, mortgage and dispose of the same for the common benefit, and may receive bequests, devises, gifts and donations of all kinds of property within and without the city for its own use and benefit, or in trust for charitable or other purposes, with full power to carry out the purposes of such trusts; may acquire, construct, own, lease, operate and regulate public utilities, conveniences and industries; may define, prohibit, abate, suppress and prevent all things detrimental to the health, morals, comfort, safety, convenience and welfare of the inhabitants of the city, and may make and enforce local, police, sanitary and other regulations, and may do all things expedient for maintaining and promoting the peace, good government, health and welfare of the city and of the inhabitants thereof, and for the performance of the municipal functions. The city shall have and exercise all powers, functions, rights and privileges now or hereafter given or granted to incorporated towns and cities by the constitution and laws of this state, and shall have and exercise all other powers, functions, rights and privileges usually exercised by or which are incidental to or inherent in municipal corporations of like character and degree, whether enumerated or not enumerated in the constitution and laws of the State of Washington or in this charter.

Section 2. The enumeration of particular powers by this charter shall not be held or deemed to be exclusive but in addition to the powers enumerated herein, implied thereby, or appropriate to the exercise thereof the city shall have and may exercise all other powers which under the constitution and laws of the State of Washington it would be competent for this charter specifically to enumerate and for the city to assume, have and exercise.

DISTRICTS

Section 3. The City of Seattle shall be divided into thirty councilmanic districts, which shall include the election precincts in the City of Seattle as they exist May 1, 1914, as follows:

University District

Precincts one, two, nine, ten, eleven, twelve, thirteen and eighteen.

East Green Lake District

Precincts nineteen, twenty-one, twenty-three, twenty-four, twenty-five, twenty-six, twenty-seven and twenty-eight.

West Green Lake District

Precincts twenty-nine, thirty, thirty-one, thirty-two, thirty-three, thirty-four and thirty-five.

South Green Lake District

Precincts three, four, five, six, seven, eight and twenty.

Northlake District

Precincts fourteen, fifteen, sixteen, seventeen, sixty-four, sixty-five and sixty-six.

Woodland District

Precincts twenty-two, fifty-seven, fifty-eight, fifty-nine, sixty, sixty-one, sixty-two and sixty-three.

Greenwood District

Precincts fifty-one, fifty-two, fifty-three, fifty-four, fifty-five, fifty-six and sixty-seven.

Ballard District East

Precincts thirty-six, forty, forty-one, forty-two, forty-three, forty-eight, forty-nine and fifty.

Ballard District West

Precincts thirty-seven, thirty-eight, thirty-nine, forty-four, forty-five, forty-six and forty-seven.

Lawton District

Precincts sixty-nine, seventy, seventy-one, seventy-two, seventy-three, seventy-four and seventy-eight.

West Queen Anne District

Precincts seventy-six, seventy-seven, seventy-nine, eighty, eighty-one, eighty-five, eighty-six, eighty-seven and eighty-eight.

East Queen Anne District

Precincts sixty-eight, seventy-five, eighty-two, eighty-three, eighty-four, ninety-one, ninety-two, ninety-four, ninety-five and ninety-eight.

South Queen Anne District

Precincts eighty-nine, ninety, ninety-six, ninety-seven, ninety-nine, one hundred, one hundred and forty-five, one hundred and forty-six, one hundred and forty-seven, one hundred and forty-eight and one hundred and forty-nine.

Westlake District

Precincts ninety-three, one hundred and twelve, one hundred and twenty-three, one hundred and twenty-four, one hundred and twenty-five, one hundred and thirty-seven, one hundred and thirty-eight, one hundred and thirty-nine, one hundred and forty-four, one hundred and fifty, one hundred and fifty-one and one hundred and fifty-two.

North Broadway District

Precincts one hundred and one, one hundred and two, one hundred and three, one hundred and four, one hundred and five, one hundred and ten, one hundred and eleven, one hundred and thirteen and one hundred and sixteen.

East Capitol Hill District

Precincts one hundred and six, one hundred and eight, one hundred and nine, one hundred and seventeen, one hundred and eighteen, one hundred and nineteen, one hundred and twenty, one hundred and thirty and one hundred and thirty-one.

Lincoln Park District

Precincts one hundred and fourteen, one hundred and fifteen, one hundred and twenty-one, one hundred and twenty-two, one hundred and twenty-six, one hundred and twenty-seven, one hundred and twenty-eight, one hundred and twenty-nine, one hundred and thirty-four and one hundred and thirty-five.

Pike District

Precincts one hundred and thirty-six, one hundred and forty, one hundred and fifty-seven, one hundred and fifty-eight, one hundred and fifty-nine, one hundred and sixty, one hundred and sixty-one, one hundred and sixty-two, one hundred and sixty-three, one hundred and sixty-four and one hundred and sixty-five.

First Hill District

Precincts one hundred and forty-one, one hundred and forty-three, one hundred and sixty-eight, one hundred and sixty-nine, one hundred and seventy, one hundred and seventy-two, one hundred and seventy-three, one hundred and seventy-four, one hundred and seventy-five, one hundred and seventy-six, one hundred and seventy-seven, one hundred and seventy-eight and one hundred and eighty-two.

Pacific District

Precincts one hundred and thirty-two, one hundred and thirty-three, one hundred and forty-two, one hundred and eighty-four, one hundred and eighty-five, one hundred and eighty-six, one hundred and ninety-nine, two hundred, two hundred and one, two hundred and two, two hundred and twelve and two hundred and thirteen.

Walla Walla District

Precincts one hundred and eighty-seven; one hundred and eighty-eight, one hundred and eighty-nine, one hundred and ninety-five, one hundred and ninety-six, one hundred and ninety-seven, one hundred and ninety-eight, two hundred and three, two hundred and four, two hundred and nine, two hundred and ten and two hundred and eleven.

Lake District

Precincts one hundred and seven, one hundred and ninety, one hundred and ninety-one, one hundred and ninety-two, one hundred and ninety-three, one hundred and ninety-four, two hundred and five, two hundred and six, two hundred and seven and two hundred and eight.

Water Front District

Precincts one hundred and fifty-three, one hundred and fifty-four, one hundred and fifty-five, one hundred and fifty-six, one hundred and sixty-six, one hundred and sixty-seven, one hundred and seventy-one, one hundred and seventy-nine, one hundred and eighty, one hundred and eighty-one, one hundred and eighty-three, two hundred and fourteen, two hundred and fifteen, two hundred and sixteen, two hundred and seventeen, two hundred and eighteen, two hundred and nineteen and two hundred and twenty.

Beacon District

Precincts two hundred and twenty-one, two hundred and twenty-two, two hundred and twenty-three, two hundred and twenty-four, two hundred and twenty-six, two hundred and twenty-seven, two hundred and thirty-four, two hundred and thirty-five, two hundred and thirty-six,

two hundred and forty-two and two hundred and forty-three.

Mount Baker District

Precincts two hundred and twenty-eight, two hundred and twenty-nine, two hundred and thirty, two hundred and thirty-one, two hundred and thirty-two, two hundred and thirty-three, two hundred and thirty-seven, two hundred and thirty-eight, two hundred and thirty-nine, two hundred and forty and two hundred and forty-one.

Valley District

Precincts two hundred and forty-four, two hundred and forty-five, two hundred and forty-six, two hundred and forty-seven, two hundred and forty-eight, two hundred and forty-nine and two hundred and fifty-one.

Rainier District

Precincts two hundred and fifty, two hundred and fifty-two, two hundred and fifty-three, two hundred and fifty-five, two hundred and fifty-six, two hundred and fifty-seven and two hundred and fifty-eight.

Duwamish District

Precincts two hundred and twenty-five, two hundred and fifty-four, two hundred and fifty-nine, two hundred and sixty, two hundred and sixty-one, two hundred and sixty-two, two hundred and sixty-three, two hundred and sixty-four, two hundred and sixty-five, two hundred and sixty-six and two hundred and eighty-one.

Alki District

Precincts two hundred and sixty-seven, two hundred and sixty-eight, two hundred and sixty-nine, two hundred and seventy, two hundred and seventy-one, two hundred and seventy-two, two hundred and seventy-four and two hundred and seventy-five.

Fauntleroy District

Precincts two hundred and seventy-three, two hundred and seventy-six, two hundred and seventy-seven, two hundred and seventy-eight, two hundred and seventy-nine and two hundred and eighty.

Section 4. The City Council shall have power in the year nineteen hundred and eighteen, and in every fourth year thereafter, to redistrict the city into districts. In any redistricting the districts shall be made as nearly equal in population and as geographically compact as possible, nor shall any ordinance for redistricting the city take effect within sixty days preceding any election held in the city for municipal, county, district or state officers.

Section 5. Whenever any new territory is added to the city the same shall be attached to and be a part of the district adjoining thereto; and if such territory shall adjoin more than one district it shall be added to and be made a part of the district adjoining thereto which shall have cast the smallest vote at the regular municipal election last preceding such annexation; provided, that if the City Council shall deem the population of such territory to be sufficiently large to constitute a separate district it may by ordinance declare such territory a distinct district and the same shall remain a distinct district until the city is redistricted.

Section 6. The precincts of the city shall remain as at present; provided, however, that as often as may be necessary the City Council shall divide each district into two or more election precincts so that each precinct shall contain as nearly as may be an equal number of voters, and in such manner as will best subserve convenience in voting and will conform to the general laws of the state; provided, that no alteration of such precincts shall take effect within sixty days next preceding any election held in the city for municipal, county, district or state officers.

Section 7. No change in the boundary of any district shall operate to abolish any office or exclude any Councilman or other city officer from office before the expiration of the term for which the incumbent was elected or appointed.

ELECTIONS

Section 8. A general municipal election shall be held on the first Tuesday after the first Monday in March, 1915, and biennially thereafter. All other elections held under the provisions of this charter shall be known as special municipal elections. Charter amendments shall be submitted only at general municipal elections.

Section 9. The manner of nomination of all elective officers shall be by petition. The name of any elector of the city shall be printed upon the ballot, when a petition in the form hereinafter prescribed shall have been filed in his or her behalf with the City Clerk. Such petition shall be signed by at least five hundred qualified electors of the city, if for the nomination of a candidate for an office filled by election from the city at large, and by at least fifty qualified electors of the district, if for an office to be filled by election from such district.

Section 10. The signatures to a nominating petition need not all be appended to one paper, but to each separate paper there shall be attached an affidavit of the circulator thereof, stating the number of signers of such

paper and that each signature appended thereto was made in his or her presence, and is the genuine signature of the person whose name it purports to be. All signers of a nominating petition shall sign their name in ink or indelible pencil, adding their place of residence by street and number.

Section 11. The form of the petition papers shall be substantially as follows:

(FORM OF PETITION PAPER.)

We, the undersigned, hereby nominate.....
.....whose residence is No.....street, Seattle, for the office of.....to be voted for at the election to be held in the City of Seattle, on the .....day of.....19.....; and we individuallly certify that we are qualified to vote for candidates for the above office, and that we have not signed any other petition presenting any other candidate for the said office.

Name Street and Number

(Space for Signatures)

(Here insert affidavit of circulator)

Section 12. All nominating papers comprising a petition shall be assembled and filed with the City Clerk, as one instrument, not earlier than sixty days nor later than thirty days prior to the date of the election with respect to which such petition is filed. The Clerk shall endorse thereon the date of its presentation, and by whom presented, and shall forthwith examine the same. If the petition complies with this charter, he shall file the same at once; if not, he shall state immediately in writing on said petition why it cannot be filed, and within three days thereafter shall return the defective petition, personally or by mail, to the person presenting the same. Such returned petition may be amended and again presented for filing within five days of its return by the Clerk, but in no case later than thirty days before the election, and if then found to comply with this charter it shall be filed. The fee for filing such petition of nomination shall be one per cent of the annual salary or compensation attached to the office in question, but in no case less than ten dollars.

Section 13. Any person whose name has been submitted for candidacy by any such petition shall file with the City Clerk an acceptance of such candidacy, containing a declaration that he is not a nominee or representative of any political party or organization, not later than seven days after the filing of his petition of nomination, and in the absence of such acceptance the name of the candidate shall not appear on the ballot. Not later than

fifteen days before the election, any candidate may withdraw from nomination by filing with the City Clerk a request for withdrawal, over his own signature duly attested by a notary public, and no name so withdrawn shall be printed upon the ballot.

Section 14. No ballot used in elections held under the authority of this charter shall have printed thereon any party or political designation or mark, or anything indicating a candidate's views or opinions. The ballots shall contain a complete list of the offices to be filled, and the names of the candidates for such office shall be arranged under the title thereof in alphabetical order. All ballot papers shall be indistinguishable one from another, except as to matters provided by law to be printed thereon.

FORM OF BALLOT

The ballots shall be substantially in the following form:

General (or Special) Election, City of Seattle, to be held....., 19.....

Official ballot for use in (designation of precinct to be printed or stamped).

Directions to voters: To vote for candidates, write the figure "1" opposite the name of your first choice for any office. You may express as many additional preferences as you please by writing the figure "2" opposite the name of your second choice, the figure "3" opposite the name of your third choice, and so on. You may also write in the blank space provided below each group, the name of any other person or persons for whom you desire to vote, or attach a paster bearing the printed name of any such person or persons.

Do not write more than one number opposite the same name.

If you spoil this ballot, tear it across once, return to the election officer and get another.

(Name)	(Domicile Address)	(Occupation)	(Vote in this column)
John Doe	.....	.....	.....
Richard Roe	.....	.....	.....
Henry Poe	.....	.....	.....
James Hoe	.....	.....	.....
William Coe	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....

Insert here (or on separate ballot) propositions and other matters, if any, to be voted on, with appropriate directions to voters printed in a conspicuous position.

Section 15. The City Clerk shall cause a sufficient number of official ballots to be printed, in form as herein prescribed, and distributed to the election officers for use in the respective voting precincts throughout the city. He shall also have printed a sufficient number of sample ballots, upon paper of different color, but otherwise identical with the ballot to be used at the election, and shall mail one such sample ballot to each registered voter at least seven days before the election.

Section 16. Immediately after the closing of the polls, the judges and inspectors of election shall then and there, without removing the ballot box from the place where the ballots were cast, proceed to canvass the votes, entering the total number thereof on the tally sheets provided therefor. They shall enter the number of the first, second, third and further choice votes for each candidate on said tally sheets, and as soon as such canvass is completed a return thereof shall be signed by the judges and inspectors, securely enveloped and sealed, and forthwith delivered to the City Clerk by one of their number.

Directions to election officers, in conformity with this section, shall be printed conspicuously on the tally sheets furnished by the Clerk.

On the first Friday evening after the election, the City Council shall, at eight o'clock p. m., meet and proceed to canvass the returns of such election, and shall thereupon declare the result.

Section 17. A ballot marked with a cross opposite one name, with no other mark, shall be treated exactly as if it had been marked with the figure "1" opposite the same name. If the same number or mark is placed opposite more than one candidate for the same office, such conflicting preference shall not count for either.

(a) Candidates receiving a majority of all first choice votes cast for any office shall be elected. If no candidate receive a majority of the first choice votes cast for the office in question, a canvass shall then be made of the second choice votes received by the candidates for such office. The total of second choice votes of each candidate shall then be divided by two and the quotient (disregarding fractions) added to the first choice votes received by such candidate, and the candidate who by such addition shall receive a majority of all first and second choice votes (counting second choice votes at one-half value) shall be elected.

(b) If no candidate receive a majority by adding first and second choice votes as directed in the next preceding subsection, a canvass shall then be made of the third choice votes received by the candidates for said office. The total of third choice votes received by each

candidate shall then be divided by three, and the quotient (disregarding fractions) added to the combined first and second choice vote for such candidate, and the candidate who by such addition shall receive a majority of all first, second and third choice votes (counting second choice votes at one-half value and third choice votes at one-third) shall be elected.

(c) If no candidate receive a majority by adding first, second and third choice votes as directed in the next preceding subsections, the process of adding the next lower preferences shall then be continued until some candidate has a majority of all the votes cast for the office in question (counting second choice votes at one-half value, third choice votes at one-third value, fourth choice votes at one-fourth value, and so on to the lowest preference expressed for any candidate for the office in question.)

(d) If no candidate receive a majority by counting first, second, third and all further choices down to the lowest preference expressed for the office in question, as directed in the next preceding subsections, then the candidate who receives the highest number of votes by such addition of all the preferences expressed shall be elected.

(e) A tie between two or more candidates shall be decided in favor of the candidate having the highest number of first choice votes. If this does not decide, then the highest total number of second choice votes shall determine the result. If they are also equal in that respect then the process of comparing the next lower choices shall be continued down to the lowest preference expressed for the candidates concerned, and if this still results in a tie it shall be decided by lot under the direction of the canvassing board.

(f) A statement of such canvass shall be made out and signed by the President of the Council and filed with the City Clerk, who, within three days thereafter, shall make out and cause to be delivered to each person so elected, a certificate of election.

Section 18. No informalities in conducting municipal elections shall invalidate the same, if they have been conducted fairly and in substantial conformity with the requirements of law.

Section 19. The total expenditure by or on behalf of any one candidate, whether directly or indirectly, shall not exceed five hundred dollars in case of a candidate elected at large, nor one hundred dollars in case of a candidate elected from a district. This shall not include filing fees nor the cost of printing and mailing circulars to voters.

No candidate, nor any person, association or organization on his behalf, directly or indirectly, shall pay or cause any person to be paid, in cash or by any other material inducement, for work in his behalf at the polls on election day.

A violation of any of the provisions of this section by any candidate, or by any person, association or organization in his behalf and with his knowledge, shall disqualify him from holding the office for which he is a candidate.

Every candidate for an elective office, shall, within five days after the election make and file with the Clerk an affidavit that he has not violated any of the provisions of this section, which shall enumerate specifically the prohibitions in this section, and shall contain a complete itemized statement of expenditures of money in such election, and of the giving of any other consideration or promise, by him or by any other person in his behalf.

Section 20. At least twenty days prior to any election, the City Council shall designate one place of voting in each precinct and shall appoint such judges and inspectors for each place of voting as may be required by the general laws of the state for state and county elections.

Section 21. At all elections the vote shall be by ballot, and the polls shall be opened at eight o'clock a. m., and close at eight o'clock p. m. The manner of conducting and voting at elections under this charter, opening and closing of polls, keeping the poll lists, canvassing the votes, declaring the result and certifying the returns, shall be the same as provided by the laws of this state for the state and county elections therein, except as otherwise provided in this charter.

Section 22. The City Clerk, under the direction of the City Council, shall give thirty days' notice by posting at each voting place in the city, a notice of the time and place of holding each election, and the officers to be elected, or measures to be submitted, and in all cases notices shall be published in the city official newspaper once each week for two consecutive weeks next preceding such election, of the time, place and purpose of such election.

Section 23. It shall be the duty of the City Clerk to cause to be made out and delivered at each voting place, by the time fixed by law for the opening of the polls, on the day of each election, all necessary books and lists required by the general laws of the state, for holding such elections.

Section 24. A certificate of election shall be prima facie evidence of the facts therein stated, but the City Council shall decide all questions as to the qualifications

and election of its own members, and in all cases of contested election for any office the contest shall be decided by the City Council according, as nearly as may be, to the laws of the state regulating proceedings in cases of contested elections for county officers.

Section 25. Whenever any question is to be submitted to the electors of the city and the method of such submission is not specifically provided by this charter or by general law, the same shall be submitted at a general or special election.

RECALL

Section 26. The holder of any elective office may be removed from office by recall as provided by law.

CITY COUNCIL

Section 27. The legislative powers of the City of Seattle, except as reserved to the people by this charter, shall be vested in a Mayor and City Council.

Section 28. The City Council shall be composed of one member elected from each councilmanic district of the city.

Section 29. No person shall be eligible for election to the City Council unless he shall have been a citizen of the United States and a resident and elector of the City of Seattle or annexed territory for a continuous period of at least four years next prior to his election.

Section 30. A majority of all members elected shall constitute a quorum, but a less number may adjourn from day to day, or till the time of the next regular meeting, and may compel the attendance of absent members in such manner and under such penalties as the Council shall prescribe.

Section 31. The Mayor shall be ex-officio President of the City Council and shall perform the usual functions of a presiding officer, but shall have no vote in elections, appointments and removals of officers by the Council, and in all other matters, only in case of a tie.

Section 32. The Council shall elect from among its members a Vice-President who shall be presiding officer of the Council during the absence or disability of the Mayor.

Section 33. The City Manager, City Comptroller, City Treasurer and Corporation Counsel shall have seats in the City Council and may take part in all discussions relating to their respective departments, but shall have no vote.

Section 34. All elections and appointments by the Council shall be determined by the system of preferential voting provided by this charter for popular election of officers, except as otherwise provided in this section. All such elections and appointments shall be determined at a meeting to be fixed by the Council, to be held within sixty days after a vacancy occurs. Nominations may be made orally by any Councilman, and shall close one week before the time fixed for such election or appointment. The ballot cast by each Councilman shall be signed by him, and a record of the vote entered in the journal. Whenever there are three or more nominees for the same office, each Councilman voting must express at least his first, second and third preference for the office in question, otherwise his ballot shall not be counted. The result of the election shall be announced immediately.

Section 35. The City Council shall:

First—Establish rules for its proceedings.

Second—Keep a journal of its proceedings and allow the proceedings to be published, and take the yeas and nays on any question on demand of any two members and enter the same in the journal.

Third—Have authority to punish its members and others for disorderly or otherwise contemptuous behavior in its presence, and to expel for such behavior in its presence any member by the affirmative vote of not less than two-thirds of its members, specifying in the order of expulsion the cause thereof.

Fourth—Have authority to create and use committees of its members which shall have power to compel attendance of witnesses and the production of papers and things before them.

Section 36. The City Council shall meet on the first Monday of each month, or if that day be a legal holiday, then upon the next day not a legal holiday thereafter, and at such other times as it may by its rules provide. The Mayor, the Vice-President of the Council in case of the absence or disability of the Mayor, or any five Councilmen may call a special meeting of the Council. All its sessions shall be public, and it shall not adjourn to any other place than its regular place of meeting.

Section 37. Every legislative act of said city shall be by ordinance. Every ordinance shall be clearly entitled and shall contain but one subject, which shall be clearly expressed in its title. The enacting clause of every ordinance shall be: "Be it ordained by the City of Seattle as follows:"

Section 38. No bill shall become an ordinance unless on its final passage at least a majority of all the

members elected vote in its favor, and the vote be taken by yeas and nays, and the names of those voting for and against the same be entered in the journal.

No ordinance, other than an ordinance providing for appropriations for salaries or current expenses, shall be passed on its final reading at the meeting at which it is introduced.

Section 39. No ordinance shall be revised, re-enacted or amended by reference to its title; but the ordinance to be revised or re-enacted or the section thereof amended, shall be re-enacted at length as revised or amended.

Section 40. When a bill is put upon its final passage and fails to pass, and a motion is made to reconsider, the vote upon such motion shall not be taken before the next meeting of the Council.

Section 41. No bill for the grant of any franchise shall be finally passed within thirty days after its introduction nor until it has been published in the official newspaper of the city at the expense of the applicant once each week for two consecutive weeks, the first publication to be within ten days after its introduction.

Section 42. All ordinances shall take effect thirty days after their passage and authentication except emergency ordinances and ordinances approving local improvement assessment rolls and authorizing the issuance of local improvement bonds, which shall take effect upon their passage and authentication. When the immediate preservation of the public peace, health or safety requires that an ordinance shall become effective immediately the facts creating the necessity and emergency shall be stated in the ordinance, and such ordinance shall not become immediately effective as an emergency ordinance unless on its final passage at least two-thirds of all the members of the Council vote in its favor.

Section 43. Every bill, after it has passed, shall be signed by the President of the Council in open session, in authentication of its passage; in signing such bill the President shall call the attention of the Council to the bill and that he is about to sign it, and if any member so request, the bill shall be read at length for information as to its correctness as enrolled. If any member object that the bill is not the same as when considered and passed, such objection shall be passed upon, and if sustained the President shall withhold his signature and the bill shall be corrected and signed before the Council proceeds to any other business.

Section 44. All ordinances of a general, public or permanent nature, and those imposing a fine, penalty

or forfeiture shall be published once in the city official newspaper within ten days after the same shall have become a law. The publication of all ordinances granting any franchise or private privilege or approving or vacating any plat shall be published at the expense of the applicant therefor.

Section 45. The City Council shall have power, by ordinance and not otherwise, to carry into execution all of the powers given to the City of Seattle by the constitution and laws of the State of Washington, and all other powers usually exercised by legislative bodies of municipal corporations of like character and degree with the City of Seattle, and all powers which now are or which may hereafter be conferred upon incorporated towns and cities by the constitution and laws of this state, and also all the powers of the City of Seattle which now are or may hereafter be adopted and enumerated in the city charter.

Section 46. The City Council shall neither have nor exercise any administrative or executive power as distinguished from the legislative power.

Section 47. No exclusive franchise or privilege shall be granted for the use of any street, alley or highway or other public place or any part thereof.

Section 48. The City Council shall make no appropriation in aid of any corporation, person or society, unless expressly authorized by this charter or the laws of the state; provided, that the City Council may grant to any institution which is supported in whole or in part by public charity the free use of city water.

Section 49. No debt or obligation of any kind against the city shall be created by the City Council except by ordinance specifying the amount and object of such expenditure.

Section 50. No proposition involving the issue of bonds for any public utility or improvement shall be submitted to the people until a detailed estimate of the cost thereof shall have first been made by the City Manager and adopted by the Council.

INITIATIVE AND REFERENDUM

Section 51. Any proposed ordinance may be submitted to the City Council by petition signed by registered voters equal in number to at least eight per cent of the total registration of the preceding year. All petitions circulated with respect to any proposed ordinance shall be uniform in character, shall contain the proposed ordinance in full, and shall be signed, certified and filed in

the manner required by this charter for petitions nominating candidates for elective offices.

Section 52. The City Clerk shall, within twenty days after the filing of such petition, verify the sufficiency of the signatures thereto. If he finds the same to be insufficient, he shall forthwith notify the person filing the same, and an additional twenty days shall be allowed in which to complete such petition. When such petition is found sufficient by the Clerk, he shall forthwith transmit the same, together with his report thereon, to the City Council, which shall take final action upon such proposed ordinance within thirty days.

Section 53. The City Council may enact or reject any initiative ordinance, but shall not amend or modify the same. If the City Council shall reject any such ordinance, or shall within thirty days after receipt thereof fail to take final action thereon, the same shall be submitted to the people for their approval or rejection at the next regular election, or at a special election called for that purpose. If the initiative petition shall be signed by qualified voters equal in number to at least fifteen per cent of the total registration of the preceding year, or shall at any time be raised in qualified signatures to such percentage, then the Council shall provide for the submission of the same to a vote of the people at a special election to be held within forty days from the certification by the Clerk of the sufficiency of the signatures; provided, that if any general election is to be held by the state or any political subdivision thereof within which the City of Seattle is included within three months after such last above named certification, then such special election shall be held on the date of such other election.

Section 54. If prior to the date when any ordinance shall take effect a petition signed by qualified electors equal in number to at least six per cent of the total registration of the preceding year shall be filed with the Clerk and verified as to sufficiency of signatures, as in case of an initiative ordinance, such ordinance shall be suspended from taking effect and the Council shall immediately reconsider the same, and if it does not repeal such ordinance it shall submit it to the people for their approval or rejection at the next municipal election or at a special election called for that purpose as in case of initiative ordinances.

Section 55. The Council by its own motion may submit to popular vote for adoption or rejection at any election any proposed ordinance in the same manner as provided for their submission upon petition.

Section 56. If a majority of the qualified electors voting upon any initiative or referendum ordinance shall

vote in favor thereof, the same shall take effect five days after the election; provided, that if the City Council shall, after the rejection of an initiative ordinance, have passed a different ordinance on the same subject, they shall submit it, together with the initiative ordinance, at the same election, and the ordinance receiving the highest number of votes, provided that be a majority, shall be adopted. All initiative and referendum elections shall be conducted in all respects as elections submitting propositions to the people. Initiative ordinances shall be published once each week for two successive weeks in the city official newspaper immediately prior to the election at which the same is submitted.

Section 57. No ordinance enacted by the vote of the people shall be amended or repealed by the City Council within two years after its enactment, and then only by a three-fourths vote of the entire City Council.

CLERICAL DEPARTMENT

Section 58. There shall be a Clerical Department which shall consist of a City Clerk, deputies and employes. The City Clerk shall be appointed by the City Council for the term of four years subject to removal by it. The City Clerk shall have power to appoint from the employes of the Clerical Department such deputies as he shall deem expedient and to revoke any such appointment.

Section 59. The City Clerk shall be Clerk of the City Council, shall attend all meetings thereof and keep complete records of its proceedings; have the custody of the city seal, all public records, except such as are entrusted by this charter to other officers, and all papers and documents relative to the title of city property; shall have general charge of all elections and of all matters pertaining thereto; shall attest by his signature and the city seal all public instruments and acts of city officials requiring attestation, and shall certify under his hand and the city seal all copies of original documents, records and papers in his office as may be required by any officer or person, and charge therefor such fees for the use of the city as are or may be provided by ordinance, and shall perform such other duties as are prescribed by ordinance.

THE MAYOR

Section 60. The official head of the city shall be a Mayor. He shall be at least thirty years of age, a citizen of the United States and of the State of Washington, and a qualified elector of the city at the time of his election, and shall have been a citizen and taxpayer of the city for at least four years before the date of his election.

Section 61. The Mayor shall:

(a) Be recognized as the official head of the city for all legal and ceremonial purposes;

(b) Execute for the City of Seattle all deeds, conveyances, contracts and bonds, except as otherwise expressly provided in this charter;

(c) Be the head of the Police Department and maintain peace and good order in the city.

Section 62. In case of the disability or absence of the Mayor from the city, the Vice-President of the City Council shall act as Mayor. In the case of a vacancy in the office of Mayor, the Vice-President of the City Council shall become Mayor and shall hold office until the next general election.

Section 63. The Mayor shall not have nor exercise any executive, administrative or legislative powers except such as are expressly given to him by this charter and the constitution and laws of the State of Washington.

DEPARTMENT OF POLICE

Section 64. There shall be a Police Department which shall consist of a Chief of Police and as many subordinate officers, detectives, policemen and policewomen as the Council may from time to time by ordinance prescribe. The policewomen of the Department shall constitute a women's division under the immediate charge of a woman officer with rank and pay not less than that of a police sergeant. This division, under the direction of the Chief of Police, shall have the care and protection of all women and girls and the custody of female prisoners until after conviction. The Mayor may, when the public safety requires it in case of emergency, to be determined by him, appoint any number of emergency policemen, who shall hold their positions and discharge their duties at his pleasure until the conclusion of the next meeting of the Council and no longer, except by consent of the Council. Such appointments shall be made from the civil service classified list when available.

Section 65. The Mayor shall appoint the Chief of Police and remove him in his discretion. In case the Chief of Police shall be appointed from the classified civil service, and shall not be removed for cause, he shall upon retirement resume his former position in such service, and the last appointees in positions subordinate thereto shall resume their former positions respectively in the classified civil service.

Section 66. The Chief of Police shall be the chief peace officer of the city, shall serve and execute all

process issued under authority of this charter or any ordinance, shall be the keeper of the city jail, and shall have such other powers and duties as shall be prescribed by ordinance.

Section 67. He shall receive and be responsible on his official bond for all property and money taken from any person.

DEPARTMENT OF PUBLIC WELFARE

Section 68. There shall be a Department of Public Welfare which shall be under the management of three non-salaried Commissioners to be appointed by the Mayor for the term of three years and subject to removal by him. The first appointments shall be for the term of one, two and three years respectively. They shall manage all charitable, correctional and reformatory institutions and agencies, lodging houses, bath houses, farms and similar institutions belonging to or controlled by the city, except such as are placed by this charter under the control of some other officer or board. They shall inspect and regulate all privately owned places of public amusement and entertainment. They shall make research into the causes of poverty, delinquency, crime and other social problems and shall promote the education and understanding of the community in matters of public welfare.

Section 69. There shall be a free employment office which, subject to the supervision and control of the Board of Public Welfare, shall be managed by a Superintendent appointed by it. The Superintendent shall collect, arrange and systematize all statistics relating to the various branches of labor in the city, assist in obtaining employment for all persons who may apply therefor, keep in touch with labor conditions in Seattle and vicinity and inform those seeking employment thereof. He shall inspect and regulate all private employment agencies in the city and require them to notify those seeking employment of the true labor conditions, including strikes, prevailing at the places where employment is offered.

DEPARTMENT OF PARKS AND RECREATION

Section 70. There shall be a Department of Parks and Recreation, which shall consist of five non-salaried Commissioners, subordinate officers and employes. The Commissioners shall be appointed by the Mayor for the term of five years, and be subject to removal by him. The Commissioners of the existing department of parks shall serve as Commissioners of this Department for the terms for which they were appointed respectively.

Section 71. This Department shall manage, control, improve and regulate all parks, play and recreation grounds, public squares, park drives, parkways, boulevards and bathing beaches of the city, except as otherwise provided in this charter, and shall have power to designate the lands to be acquired and used for such purposes, whether within or without the city, and to grant concessions and privileges therein, the revenue of which shall go into the city park fund; provided, that no intoxicating liquors shall be sold or used upon any property under the jurisdiction of this Department.

Section 72. Whenever the United States, State of Washington, or any political subdivision thereof, shall own any real property within or without the City of Seattle, and the same or any interest therein shall not then be necessary for the purposes for which the same was acquired, the Board of Park Commissioners shall have power to enter into an agreement to occupy and use any such public property or interest therein, and to expend money thereon for the improvement thereof as a part of the public park and recreation system of said city.

Section 73. There shall be a park fund, to be expended solely by the Park Commissioners, which shall consist of all gifts, bequests and devises made for park and recreation purposes; ten per cent of the gross receipts of the city from all fines, penalties and licenses; the rents, issues and profits derived from any property which may be held or owned in trust for park or recreation purposes; such tax levies and appropriations as the city shall make therefor; provided, that no annual tax levy for this Department shall be less than three-quarters of a mill.

LIBRARY DEPARTMENT

Section 74. There shall be a free public library under the management and control of a non-salaried board of five trustees, who shall be appointed by the Mayor with the consent of the City Council, for the term of five years and be subject to removal by the Mayor. The five members of the present Board of Trustees having the longest unexpired terms shall hold office until the expiration of the terms for which they were appointed respectively, and the other two members shall retire upon the taking effect of this charter.

Section 75. There shall be a library fund which shall consist of all gifts, bequests and devises made for the benefit of said library; ten per cent of the gross receipts of the city from all fines, penalties and licenses;

the rents, issues and profits derived from any property held or owned in trust for said library; such tax levies and appropriations as the city shall make therefor.

ADMINISTRATIVE DEPARTMENT

Section 76. There shall be an Administrative Department which shall consist of a City Manager, subordinate officers and employes. The City Manager shall be a person of known administrative ability, with experience in responsible and important executive capacity in the United States; he must be a citizen of the United States and need not be, when appointed, a resident of the City of Seattle. The City Manager shall be appointed by the City Council for the term of four years, subject to removal as follows: By a two-thirds vote of the entire City Council acting on its own initiative, and by a majority vote of the entire City Council upon the filing with it of a petition asking for his removal signed by qualified electors equal in number to twenty-five per cent of the registered voters of the city for the previous year. In case the City Council shall, upon the filing of such petition, decline to remove the City Manager, it shall submit the question of his removal to a vote of the people in the manner and within time provided for the submission of initiative ordinances, and if a majority of the votes cast thereon shall be in favor of removal, he shall be deemed removed from office. During the absence or disability of the City Manager, or in case of a vacancy in said office, the City Council may designate some properly qualified person temporarily to perform the duties of the office. The Commissioners, Superintendents and other subordinate officers of the Administrative Department shall be appointed by the City Manager subject to removal by him. The employees of the Administrative Department, in such number as shall be provided by ordinance, shall be appointed by the Superintendent or officer in charge under civil service rules.

Section 77. The City Manager shall exercise control over all bureaus, divisions and other branches of the Administrative Department created herein, or that may hereafter be created, and except as otherwise expressly provided in this charter, shall have full administrative control over, and responsibility for, all administrative activities of the city, and have the custody and management of all property, real and personal, and all public places owned, possessed, used or controlled by the city, shall supervise and direct the care, use, maintenance, improvement and operation thereof, shall superintend and carry on all public works, utilities, conveniences, industries and administrative affairs of the city, and shall account therefor.

Section 78. Included in the Administrative Department shall be the following divisions: Division of Contracts, Purchases and Supplies; Division of Engineering; Division of Public Utilities; Division of Streets and Sewers; Division of Water Works; Division of Lighting; Division of Buildings; Division of Fire Protection; Division of Health and Sanitation. The heads of the various Divisions, except as otherwise designated herein, shall be known as Superintendents.

Section 79. The Division of Contracts, Purchases and Supplies shall assemble data relative to all proposed contracts, advertise and receive bids therefor, and keep records of the same. It shall make all purchases, have charge of and distribute all supplies for the city and its departments, and have charge of and the disposal of all unsuitable or surplus material and articles. All purchases shall be made under fair competition. All standard supplies shall be purchased in bulk and carried in stock as may be practicable or expedient in the judgment of the City Manager.

Section 80. The Division of Engineering, the Superintendent of which shall be known as the City Engineer, shall have charge of all surveying and engineering work of the city, and, except as otherwise provided, the designing and construction of all public works, including the construction of park drives and boulevards after their improvement shall have been determined by the Department of Parks and Recreation, and shall have the control and regulation of the harbor and waterfront of the city. It shall make and have the custody of all engineering records of the city.

Section 81. The Division of Public Utilities shall enforce the provisions of all franchises, and have charge of the inspection of weights and measures. It shall have charge of the regulation of all public service corporations under the franchises and ordinances of the city, and superintend all street railways operated by the City of Seattle.

Section 82. The Division of Streets and Sewers shall have charge of the maintenance, repair and cleaning of all streets, sidewalks, sewers and drains in the city, and of all public places the charge of which is not vested in some other Department. It shall have charge of the collection and disposal of garbage.

Section 83. The Division of Water Works shall have charge of the operation and maintenance of the water system of the city, including all buildings and grounds and the property acquired for watershed or right-of-way purposes.

Section 84. The Division of Lighting shall have charge of the operation and maintenance of the lighting system of the city, including all buildings and grounds.

Section 85. The Division of Buildings shall have charge of the construction, operation and maintenance of all the public buildings of the city, except as otherwise in this charter provided. It shall have charge of the issuing of all building permits and the inspection of all work done thereunder, of the enforcement of all building, wiring and plumbing ordinances of the city, and the inspection of boilers. In this division there shall be a Board of Appeals consisting of three non-salaried members appointed by the Manager, one member to be a competent architect and one a competent builder. The members of the existing Board of Appeals shall continue in office for the terms for which they were appointed and their successors shall be appointed for terms of three years. The members of such Board shall be subject to removal by the manager for malfeasance, incapacity or neglect of duty. In case a member is disqualified by interest or unable to sit in a particular case the Manager shall appoint a substitute from the same class. The Board of Appeals shall hear and determine all appeals from the Superintendent of Buildings as to all building matters, and also such other matters with relation to construction and new methods and appliances as may be brought to its attention. The City Council shall prescribe the method of appeal. The Board shall establish rules governing their meetings and hearings of appeals.

Section 86. The Division of Fire Protection shall have charge of the extinguishment of all fires, the control of all fire stations and apparatus, and the enforcement of all ordinances for the prevention of fires. If the Superintendent of this Division has been appointed from the classified civil service, he shall upon retirement, unless removed for cause, resume his former position in such service, and the last appointees in positions subordinate thereto shall resume their former positions respectively in such service.

Section 87. The Division of Health and Sanitation shall be in charge of a Commissioner of Health, who shall be a graduate in medicine and have had at least five years in active practice of medicine or sanitary work immediately prior to appointment. It shall enforce all laws, ordinances and regulations relative to the preservation and promotion of the public health, the prevention and restriction of disease, the prevention, abatement and suppression of nuisances and unsanitary buildings, the sanitary inspection and supervision of the

production, transportation, storage and sale of food and food stuffs, the sanitary supervision of the city water supply and the sanitary inspection of garbage. It shall manage all hospitals and sanitariums that are established or maintained by the city. It shall cause a complete and accurate system of vital statistics to be kept. In time of epidemic or threatened epidemic, it shall make and enforce quarantine and isolation regulations. It shall make research into the causes of disease in the community and shall promote the education and understanding of the community in matters of public health. The Commissioner of Health shall appoint such medical assistants and nurses as are prescribed by ordinance.

Section 88. The City Council may by ordinance, upon the recommendation of the City Manager, create or discontinue any Bureau or Division of the Administrative Department and determine, combine and distribute the functions thereof, but the Division of Contracts, Purchases and Supplies shall not be so discontinued. The City Manager, except as otherwise provided in this charter, shall supervise and control the officers and employes of the Administrative Department and define and prescribe their duties, and whenever he shall deem it expedient and for the betterment of the service, may transfer any officer or employe from one Department to another.

DEPARTMENT OF AUDITS AND ACCOUNTS

Section 89. There shall be a Department of Audits and Accounts which shall consist of a City Comptroller, deputies and employes. The Comptroller shall be elected by the City Council and shall be subject to removal by it. No person shall be eligible to be City Comptroller unless he be a citizen of the United States, a resident of the City of Seattle and shall have had at least five years' total experience as a public accountant, auditor or similar officer. He shall appoint a chief deputy who shall be subject to removal by him, and may appoint from the employes of the Department such deputies as he shall deem expedient and revoke such appointments.

Section 90. The City Comptroller shall exercise general supervision over the financial affairs of the city, shall keep all its accounts, and all departments and other offices of the city shall be subordinate to him in all matters of accounting; shall, semi-annually, examine and verify all records and files of all departments and other offices of the city, and, whenever required, shall report to the City Council and the City Manager as to the condition of any department or other office; shall check all

claims and demands against the city, and all its obligations, expenditures and pay rolls; shall require all claims and demands against the city to be verified, and keep a record thereof; shall issue all warrants, keep inventories of the property of the city, and all other public and non-taxable property within the city; shall check the daily balances of the City Treasurer, and apportion all moneys collected to the proper accounts; shall keep a record of all officers and employes of the city; shall hold all bonds given to the city, except his own, which shall be held by the Corporation Counsel, and shall immediately report any breach of the conditions of said bonds to the Corporation Counsel; shall issue all licenses; and perform such other duties as may be prescribed by ordinance.

LAW DEPARTMENT

Section 91. There shall be a Law Department which shall consist of a Corporation Counsel, Assistants Corporation Counsel and employes. The Corporation Counsel shall be appointed by the City Council, subject to removal by it. Assistants Corporation Counsel, in such number as shall be provided by ordinance, shall be appointed by the Corporation Counsel and be subject to removal by him at his pleasure.

Section 92. The Corporation Counsel and each Assistant Corporation Counsel shall be an attorney admitted to and qualified to practice in the supreme court of the State of Washington, and shall have practiced his profession in the City of Seattle for at least four years prior to his appointment.

Section 93. The Corporation Counsel shall have full supervisory control of all litigation to which the city is a party or in which the city or any of its Departments is interested, initiate and prosecute all actions in favor of the city, prosecute all violations of the ordinances of the city, examine and approve the form and execution of all contracts and obligations to be executed by or in favor of the city, advise the City Council and all Departments on all legal matters relating to the city and its affairs, and perform such other duties as are or shall be prescribed by ordinance. The Assistants Corporation Counsel shall have the powers of deputies, and shall perform such duties as shall be required by the Corporation Counsel.

DEPARTMENT OF FINANCE

Section 94. There shall be a Department of Finance under the management and control of a City Treasurer to be appointed by the City Council for the term of four years and subject to removal by it. He may appoint

from the employes of his Department such deputies as he shall deem expedient and revoke any such appointment.

Section 95. He shall receive, keep and pay out all money belonging to the city and keep an accurate account of all receipts and disbursements and do all other things required of him by law. He shall not pay out any money except on legal demands, duly allowed and audited. He shall make such reports of receipts and disbursements as are required by the City Comptroller.

BOARD OF AWARDS AND ADJUSTMENTS

Section 96. There shall be a Board of Awards and Adjustments which shall consist of the City Manager, the City Comptroller and the Corporation Counsel. The Board shall hold such regular meetings as it may determine and such special meetings as it may appoint or the chairman may call. All meetings shall be public, at a stated place, and a majority of all members shall be necessary to constitute a quorum. The Board shall award all contracts; adjust, allow and certify for payment all bills, pay rolls and claims; cause to be prepared and certify to the City Council all assessment rolls for local improvements; hear and determine all applications for permits not otherwise provided for by law; fix the amount of and approve the sufficiency of the sureties on all bonds, except as otherwise provided by law; and at least once in every six months examine such bonds and determine the sufficiency of the amount and sureties thereof and, in its discretion, require new or additional bonds; and perform such other duties as the Council shall prescribe. The Comptroller shall be Secretary and keep a record of the proceedings of the Board.

CONTRACTS AND PURCHASES

Section 97. All public works, improvements and purchases, the cost of which exceeds three hundred dollars, and all local improvements, the funds for the making of which are directly or indirectly to be derived, in whole or in part, from assessments upon the property benefited thereby, shall be made by contract to be let to the lowest bidder therefor by the Board of Awards and Adjustments, or, in the discretion of said Board, said works and improvements, or any part thereof, may be done under the direction of the City Manager by day labor. Where the cost of any proposed work or purchase shall not exceed three hundred dollars, the same shall be made under fair competition in the open market.

Bids may be called for and received for all or any part or division of any proposed contract, and no contract shall be sublet, except for the furnishing of material, without the previous consent of the City Council; provided, that the Council may by ordinance determine whether an improvement, or any part thereof, shall be made by contract or otherwise.

Section 98. Before any contract shall be awarded a call for bids shall be published once each week for two consecutive weeks, inviting sealed proposals to be filed in the division of contracts, purchases and supplies on or before the hour named. All bids shall be accompanied by a certified check, payable to the order of the City Treasurer, or a surety bond, in favor of the city, for a sum not less than five per cent of the amount of the bid, and no bid shall be considered unless accompanied by such check or bond. All bids shall be publicly opened by the Board of Awards and Adjustments. No bid shall be accepted which is not truly responsive to the call, specifications, plans and data issued therefor, but no bid shall be rejected for informality if it can be understood what is meant thereby. Upon award of contract all checks or bonds furnished with the bids submitted shall be returned to the bidders, except that of the successful bidder, which shall be retained until a contract be entered into, and if such bidder fail to enter into such contract within ten days from the date he is notified of its award, the said check shall be forfeited to the city, and in case a surety bond has been given, the corporation counsel shall enforce the collection thereof, the proceeds of such check or bond to be credited to the fund or funds from which the contract in question is to be paid. All contracts shall be based upon sufficient specifications accompanied by plans and other data to indicate the nature of the works, improvements, services, materials or apparatus intended to be contracted for. No alternative bid shall be accepted unless such was asked for on the basis of alternative specifications, plans or other data. The board of awards and adjustments shall not be bound to accept any of the bids submitted, but may reject all of them and order the contract to be readvertised.

Section 99. No contract shall be entered into by the city until it has been duly ascertained that funds to meet full payment thereunder are available or can be legally secured therefor. A bond running to the city, as required by law, shall be furnished by any party to a contract with the city. The Board of Awards and Adjustments shall specify the conditions of contracts.

Contracts shall be signed for the city by the City Manager, attested by the Clty Clerk, with the seal of the city affixed.

Section 100. All contracts for public works and improvements shall provide that at least fifteen per cent of the amount due the contractor on estimates shall be retained to secure the payment of laborers who have performed work thereon, and material men who have furnished material therefor, and such laborers and material men shall for thirty days after the completion and acceptance of the work have a lien on such fifteen per cent so reserved, which lien shall be senior to all other liens. No improvement shall be deemed completed until a written aceptance thereof, by the Board of Awards and Adjustments, has been filed with the Comptroller. The City Council shall by ordinance prescribe suitable means and remedies for the preservation and enforcement of the liens provided for in this section. Such fifteen per cent thus reserved or any part or balance thereof remaining at the expiration of thirty days after the acceptance of such work may be expended by the City Manager in making good any defect discovered in such work during such thirty days, providing the contractor has been notified to remedy such defect and has refused. Such expenditure by the Manager shall not relieve either the contractor or the surety of their obligations. Partial payments may be made during the progess of any contract to the extent of eighty-five per cent of the value of the work performed or materials delivered under such contract during any calendar month as estimated and reported by the City Manager.

Section 101. No contract with the city for any public work, improvement or purchase shall hereafter be assigned or transferred in any manner without first having indorsed thereon the consent of the Board of Awards and Adjustments, and of the sureties on the contractor's bond, and no transfer or assignment thereof shall in any wise affect such bond, or the liability of the sureties thereon, and any assignment or transfer thereof, except by operation of law, without such consent and waiver, shall make the same null and void, as to any further performance thereof by the contractor or his assigns without any act on the part of the city; and the Board of Awards and Adjustments shall at once proceed to re-let such contract, or may, in its discretion, proceed to complete the same as the agent, and at the expense of such contractor and his sureties. No assignment, transfer, abandonment or surrender, either voluntary or otherwise, of any contract with the city for any public work, improvement or purchase, nor any change in any such contract,

nor any extension of time in which to complete any such contract, shall ever operate to release the sureties on the bond herein provided for.

Section 102. The Board of Awards and Adjustments may, whenever in its judgment the surety on such bond is insufficient, require a new or additional bond to be filed within ten days after notice; and thereupon all work on such contract shall cease until such new or additional bond shall be approved by said Board, and if any such contractor shall fail for ten days after notice to file a new or additional bond, his contract shall by that fact alone become fully ended and void as to future performance thereof, and thereupon the Board shall order such contract to be re-let, or may, in its discretion, order the completion of the same by the City Manager at the expense of the contractor and his sureties.

Section 103. If any such contract shall for any reason become ended or void, and the Board shall complete the same as in this charter provided, and the costs of so completing such contract shall exceed the amount unpaid by the city upon such contract at the time the same shall become ended or void, in such case it shall be the duty of the Corporation Counsel to at once commence an action in the name of the city against such contractor and his sureties for the recovery of the difference in amount between the cost of so completing such contract and the amount unpaid by the city thereon at the time the same became ended or void.

Section 104. Any person having been a party to a contract with the city, and having failed to fulfill the requirements thereof, shall be disqualified from being a party to any further contract with the city for a period of two years from the time of his delinquency.

BUDGET AND TAX LEVY

Section 105. The Council and every Department, Division and Office shall prepare annually a budget to show their estimated expenditures and revenues for the ensuing fiscal year, classified according to the schedule of accounts, fully itemized, with labor or service shown separately from supplies, materials or apparatus. It may include emergency funds, to be expended, however, only in cases of unforeseen emergency. Such budget shall also show the corresponding items as approved in, and any unexpended or unincumbered balances from, the previous year. The budget shall be submitted to the Board of Awards and Adjustments not later than the first day of June, and by said Board to the Council not later than the fifteenth day of July.

Section 106. The consolidated budget shall be the basis for the determination of the tax levy by the council for the ensuing fiscal year. The total tax levy for any one year for all purposes, except for the payment of interest on and the redemption of the general bonded indebtedness of the city, shall not exceed twelve mills on each dollar of the assessed valuation of property in the city. The first budget prepared under this charter shall include all current liabilities or deficits expected to exist at the end of that fiscal year, the amount of which may be levied in whole or in part in excess of the above limitation, but the funds derived therefrom shall be expended only for the specific purposes for which they are levied. Thereafter no deficiency shall be created except in case of extraordinary emergency which shall be expressed in the ordinance creating such deficiency and then only by a four-fifths vote of the entire City Council.

Section 107. Every official or member of any board or body controlling the expenditure of funds shall be personally liable for any overdraft of budget funds under his or their direction, unless such overdraft shall have been incurred in a case of emergency consisting of a condition or accident requiring immediate action with no specific appropriation available, and no transfers of funds or of unexpended balances from one item of the budget to another shall be allowable except when such has been authorized by the Council upon the City Manager's recommendation.

Section 108. There shall be a fund for each public utility operated by the city, into which shall be paid all revenues derived from such utility, which shall be devoted primarily to the payment of the expenses of operation and maintenance, the cost of extensions and the redemption of the bonded indebtedness thereof.

CIVIL SERVICE

Section 109. There shall be an unsalaried Civil Service Commission of three members appointed by the Mayor. The members of the existing Civil Service Commission shall continue in office for the terms for which they were appointed, and their successors shall be appointed to serve for terms of four years each, and until their successors have qualified. Appointments to fill vacancies shall be for the unexpired term. Two commissioners shall constitute a quorum. The Mayor may at any time, for good cause, remove any commissioner. No commissioner shall be removed for political reasons.

Section 110. Upon the adoption of this charter the commission shall classify the service required of the

employes of all departments with reference to the duties, responsibilities, and authority thereof for the purpose of fixing and maintaining standards of service and examination, and in establishing such classification detailed information and advice shall be secured from the respective departments. Such classification shall include all offices and places of employment now in existence or which may be hereafter established in the city's service except those expressly exempted in Section 116. No office or place created by the Council shall be considered new unless the duties thereof are substantially different from those of any other existing position in the classified service. The Commission shall ascertain the duties of each office and place in the classified service and shall designate the title of each, the class of service to which it belongs, and its grade. Each grade shall comprise offices and places having substantially similar duties. For the purpose of establishing uniformity of pay for all offices and places of employment classified in the same grade, three rates of pay shall be fixed for each grade, and advancement from a lower to a higher rate in any grade shall be made in accordance with rules prescribed by the Commission. The offices and places so classified by the Commission shall constitute the classified civil service of the City of Seattle, and no appointment to any such offices or places shall be made except under and according to the provisions of this charter and of the rules hereinafter mentioned; provided, such classification shall be revised from time to time to conform to existing conditions. The compensation for all offices and places of employment within each grade or rank shall be uniform.

Section 111. The Commission shall make necessary rules not in conflict with the provisions of this charter governing examinations, appointments, promotions, removals, investigations, reductions of force, transfers, suspensions and leaves of absence, and the Commission may, from time to time, make changes in the existing rules, and provide the time such rules shall go into effect, and for the publication thereof. The Civil Service Commission shall appoint a Board of Examiners of three members, who shall examine and certify all applicants for engineers' licenses, under such rules as may be prescribed by said Commission.

Section 112. All applicants for offices or places in the classified civil service shall be subjected to examination, which shall be public, competitive, and open to all citizens of the United States with specified limitations as to residence, age, sex, health, habits, experience, moral character and qualifications to perform the duties of the

office or place to be filled, all of which shall be prescribed by rule in advance of the examination. Such examinations shall be practical in their character and shall relate to those matters which will fairly test the relative capacity of the persons examined to discharge the duties of the positions to which they seek to be appointed and shall include, when appropriate, tests of physical qualifications, health, and manual or professional skill. The Commission shall from time to time confer with the heads of departments as to the nature and scope of examinations affecting employes for their respective departments. The Commission shall have the right to designate persons, either in or not in the official service of the city, to act as examiners. Every applicant for examination, except laborers and applicants for promotion, shall pay an examination fee of one dollar. Preference in employment shall, all other things being equal, be given to electors of the city and heads of families. The Commission shall provide by rule for notice of time, place and scope of every examination.

Section 113. A register shall be prepared from the returns of the various examinations for each grade or class of positions in the classified service of the city, containing all persons whose general average standing upon examination for such grade or class is not less than a minimum fixed by the rules of the Commission, and who are otherwise eligible, and such persons shall take rank upon the register in the order of their relative excellence as determined by examination, without reference to priority of time of examination. All persons who have been removed from the classified civil service, through reduction in force on account of lack of work, shall be replaced on such eligible lists, taking their rank thereon in accordance with their standing on original examination as modified by their efficiency standing during the six months immediately prior to their removal.

Section 114. The Commission shall by its rules establish lines of promotion in the various departments of the classified service, provide for promotions on the basis of efficiency, seniority in service and standing upon examination, and shall provide that vacancies shall be filled by promotion, where practicable. All examinations for promotion shall be competitive among such members of the next lower grade, who have served a required minimum time in such grade, as desire to submit themselves to such examination. The examinations for promotions and certifications of candidates shall be the same, as near as may be, as provided for original appointment.

Section 115. The head of the department or office

in which any position classified under this act is to be filled shall notify the Commission of any vacancies and the Commission shall certify to the Appointing Officer the names and addresses of the three candidates, if there shall be so many eligible, standing highest upon the register for the class or grade to which such position belongs, except that in case of laborers where a choice by competition is impracticable the Commission may provide by its rules that selections may be made by lot from among those candidates proved fit by examination. Where there is more than one position to be filled, the Commission may certify a less number than three for each office, and may also limit the number of times the same person may be certified. The appointing officer shall notify the Commission separately of each position to be filled and shall fill such places by appointment from the persons certified to him by the commission therefor, which appointments shall be on probation for a period to be fixed by the rules. The Commission may strike off the names of candidates from the register after they have remained thereon for a time to be limited by rule. Before the expiration of the period of probation, the head of the department or office in which a candidate is employed may, for good cause, discharge him upon assigning in writing his reasons therefor to the Commission. If he is not so discharged his appointment shall be deemed complete. To prevent the stoppage of public business, or to meet extraordinary exigencies, the appointing officer may, with the approval of the Commission, make temporary appointments to remain in force not exceeding sixty days and only until regular appointments under the provisions of this charter can be made.

Section 116. The following city officers and employes shall not be included in the classified civil service: All elective officers, the heads of all departments, bureaus and divisions, the city clerk, the chief of police, the assistants corporation counsel, the medical assistants and nurses employed in the division of health and sanitation, the members of the various boards provided by this charter, the employes of the library department, the private secretaries of the Mayor and City Manager, the chief deputy comptroller; provided, that when the city requires the services of experts for work of a special or temporary nature and which is not regularly required in any department, the Commission may allow appointment for such service without examination.

Section 117. All persons in the classified civil service shall be subject, for good cause, to suspension for a period of not exceeding thirty days, or removal from office or employment by the head of the department in

which such employe is working, upon the head of such department filing with the Civil Service Commission his reasons for such suspension or removal. Any employe so removed may, within ten days after his removal, demand an investigation, and said Civil Service Commission shall thereupon make such investigation and shall submit its findings, together with its recommendations, to the City Manager in case such employe is in one of the departments under the control of the Manager, or to the Mayor in case said employe is working in a department, the head whereof is appointed by the Mayor. The decision of the City Manager or Mayor as to re-instatement shall in all cases be final.

Section 118. Immediate notice in writing shall be given by the appointing officer to the Commission of all appointments, permanent or temporary, made in the classified service and of all transfers, promotions, resignations, or other changes in the service from any cause and the date thereof, and a record of the same shall be kept by the Commission. When any place of employment is created or abolished, or the compensation attached thereto altered, such change shall be immediately reported in writing by the proper head of the department to the Commission.

Section 119. Each head of department shall keep efficiency records of all the employes in his department in the classified civil service, such records to be kept in the form and according to the rules provided by the Civil Service Commission, and copies of such records furnished to the Commission monthly. The Civil Service Commission shall also conduct such efficiency investigations as it may be requested to do by either the City Manager or the heads of departments, and shall report to such Manager or head of departments its findings and recommendations. The Commission shall investigate the enforcement of the Civil Service provisions of this charter and of its rules, and the conduct and action of employes in the classified service, and make reports of its findings and recommendations to the City Manager and City Council.

Section 120. The Commission shall employ a Chief Examiner, who shall have general charge of all examinations, act as Secretary of the Commission, keep all its records and perform such other duties as the Commission may prescribe. The City Council shall provide for the expenses of the Commission, including such clerical or other assistants as may be necessary.

Section 121. No person or officer shall willfully or corruptly deceive or obstruct any person in respect to his

or her right of examination, or corruptly or falsely mark, grade, estimate or report upon the examination or proper standing of any person examined hereunder, or aid in doing so, or willfully or corruptly make any false representation concerning the same or concerning the person examined, or willfully or corruptly furnish to any person any special or secret information for the purpose of either improving or injuring the prospects or chances of any person so examined or to be examined, to be appointed, employed or promoted.

Section 122. No person in the classified service, or seeking admission thereto, shall be appointed, removed or suspended, or in any way favored or discriminated against, because of political opinions or affiliations or religious belief. No officer or employe of the city shall, directly or indirectly, solicit receive or give, or be in any manner concerned in soliciting, receiving or giving any assessment, subscription or contribution for any political party or political purpose whatsoever. The civil service employes shall refrain from partisan activity in municipal campaigns.

Section 123. No applicant for appointment or promotion in the classified civil service shall either directly or indirectly pay or promise to pay any money or other valuable thing to any person whatever for or on account of his appointment or promotion, nor shall he ask for or receive any recommendation or assistance from any officer or employe in said service, or of any other person, in consideration of any political service to be rendered to or for such person, or for the promotion of such person to any office or appointment. No recommendation by any officer, city, county, state or national, except as to character, residence or fitness of the applicant shall be received or considered by any person concerned in any examination or appointment under this charter, and no recommendation whatever shall be made by or accepted from the Mayor, City Manager or any member of the City Council.

Section 124. The Commission shall certify to the City Comptroller all appointments to places and offices in the classified civil service, and all vacancies occurring therein. Neither the Comptroller or auditing body shall approve the payment of, nor shall the Treasurer pay, any salary or wages to any person for services as an officer or employe of the city unless such person is occupying an office or place of employment according to the provisions of law, and is shown by the certificate of the Civil Service Commission to be entitled to payment therefor.

Section 125. Any civil service employe who shall willfully or through culpable negligence violate any of the civil service provisions of this charter, and who shall be convicted thereof after a trial before the Civil Service Commission, shall be dismissed from the service of the city and be ineligible to reappointment. Any officer or employe of the city, other than those holding office under the civil service, who shall willfully or through culpable negligence violate any of the civil service provisions of this charter, and who shall be convicted thereof, shall forfeit his office or position, and shall be ineligible to hold any office or place of employment under the city thereafter. Any other person who shall willfully, or through culpable negligence, violate any of the civil service provisions of this charter shall be punished as prescribed by ordinance. The City Council shall provide by ordinance for prosecutions under this section.

Section 126. Any person in the classified civil service who shall be injured in the discharge of duty so as to be temporarily disabled, shall, unless otherwise compensated, receive during such disability full pay for not to exceed thirty days or half pay for not to exceed six months, and if such person shall be injured while in the discharge of duty so as to be permanently disabled, or for an indefinite length of time, such person shall receive pay while such disability continues in an amount to be fixed by the City Council, not exceeding twenty per cent of the pay received by such person at the time of injury. The Commission shall prescribe such rules as may be necessary for carrying out the purposes of this section and may provide suitable medals of honor for distinguished bravery or service while in the line of duty.

Section 127. The head of any department shall grant fifteen days' vacation with pay in any one year to any person or employe in the service of the city who has been regularly and continuously employed for at least one year.

Section 128. All persons who at the time of the adoption of this charter are regular civil service employes shall continue to perform their respective duties under and subject to the provisions of this charter. Those who by the adoption of this charter are for the first time included in the classified civil service, and who have prior to its adoption continuously served the city in the same capacity for six months immediately prior thereto, shall be qualified for their respective positions without further examination, subject to classification by the Commission.

OFFICERS, TERMS AND SALARIES

Section 129. Elective officers of the City of Seattle shall be the Mayor and the members of the City Council. The appointive officers of the City of Seattle shall be all those appointed by the Mayor, the Council and the City Manager, as provided in this charter.

Section 130. The term of elective officers shall be for two years and until their successors are elected and qualified.

Unless otherwise expressly provided in this charter, the term of every appointive officer shall be for four years and, except in case of removal, until his successor is appointed and qualified.

Section 131. The terms of all officers elected by popular vote shall commence at twelve o'clock, noon, on the second Monday after their election, and they shall qualify before said date. The terms of all other officers shall commence upon the date of their qualification, which shall be within ten days after their election or appointment, unless the time for qualification is extended by the appointing power.

Section 132. Every officer of the city and each of his assistants, before entering upon the duties of his office, shall take and subscribe an oath or affirmation that he will support the constitution of the United States and of the State of Washington and that he will faithfully comply with and abide by all the requirements of the charter and ordinances of the City of Seattle, and will faithfully demean himself in office.

Section 133. All salaried officers of the city, except police officers, and all other officers and employes having under their custody and control money or property of the city shall, before entering upon the duties of office, give bond, with approved sureties, to the city in such sum as shall be designated by ordinance, conditioned for the faithful performance of his duties and for the payment over of all moneys belonging to the city as provided by law.

The bond of the Chief of Police shall also contain the condition that he will pay all such actual damages as may be sustained by any person arrested without a warrant by reason of any false or unlawful imprisonment by or under the direction of such Chief of Police.

Section 134. The annual salaries of the following officers of the city shall be: City Manager, twelve thousand dollars; Corporation Counsel, six thousand dollars;

Mayor, five thousand dollars; Comptroller, forty-two hundred dollars; Treasurer, forty-two hundred dollars. Each member of the City Council shall receive five dollars for each day's attendance upon any meeting of the City Council, such compensation not to be paid for more than sixty days' attendance in any one year. All other officers, subordinate officers and employes of the city shall be paid such compensation as is or may be fixed by ordinance. The salary of any elective or appointive officer shall not be increased after his election or appointment or during the term for which he shall have been elected or appointed. No officer or employe of the city shall receive any compensation for his services to the city other than his salary.

Section 135. An office becomes vacant on failure to qualify within the time limited by the charter, upon the death or removal from office or resignation of the incumbent, or his removal from or absence from the city for sixty days without leave of the City Council, or upon an adjudication of insanity by a court of competent jurisdiction; by a conviction of drunkenness, or by any permanent disability, preventing the proper discharge of his duty.

Section 136. If any appointive office becomes vacant it shall be filled in the same manner as the original appointment and the appointee to the vacancy shall hold for the unexpired term. If any elective office becomes vacant the City Council shall fill the same for the unexpired term by election in the manner elsewhere provided in this charter.

Section 137. The City Council shall have power to remove the Mayor or any of its members for willful violation of duty during his term of office or for the commission of a crime or misdemeanor, upon charges preferred by any member of the City Council. If two-thirds of all the members of the City Council shall find the accused guilty, then the accused shall forfeit his office. The accused shall be furnished with a copy of the charges and shall have the right to appear with counsel and make his defense at the trial held on such charges.

Section 138. No officer, subordinate officer or employe of the city shall hold any other office or position, federal, state, county or municipal, except in the National Guard or as a notary public, or hold any other office or position with the city; or be directly or indirectly interested in any contract with or for the use of the city, or become surety for the performance of any such contract. No officer shall accept from any railroad or street railroad corporation operating in whole or in part in the city, any

pass or free transportation or transportation upon any terms save such as are open to the public generally. The violation of any of the provisions of this section shall work a forfeiture of the office or position of the person violating the same. Any officer guilty of accepting such pass, free transportation or transportation upon terms not open to the public generally, shall also forfeit to the city all sums of money paid him by the city as salary during the term in which he shall be guilty of such misconduct.

Section 139. No elective officer of the city shall be eligible to any appointive office in the city during the term for which he was elected.

HOURS OF LABOR

Section 140. In all public works done by or for the city, either by day's work or by contract, eight hours shall constitute a day's work; and no employe of the city on city works, or of any contractor or sub-contractor of such work shall be required to work longer than eight hours in any one calendar day, excepting in case of extraordinary emergency as defined by law.

MINIMUM WAGE

Section 141. Every contractor, sub-contractor or city officer performing any work for the City of Seattle upon streets, public places or public property, shall pay or cause to be paid to his employes on such work not less than the current rate of wages paid by the City of Seattle for work of like character and in no event less than two and seventy-five hundredths dollars per day. Said contractor and sub-contractor shall, on such work, give preference to resident laborers. A violation of any of the provisions of this section by any contractor, or sub-contractor, shall be sufficient ground for the forfeiture of his contract.

ART COMMISSION

Section 142. The City Council is authorized to create a non-salaried Art Commission which shall advise and recommend in regard to the location of public thoroughfares and places, and the design and appearance of engineering works such as bridges, viaducts, water towers, retaining walls, street fixtures and other related structures, city buildings and public works of art.

LOCAL IMPROVEMENTS

Section 143. The city shall have power to make local improvements and levy and collect special assessments therefor in whole or in part; and may provide for the payment of all or a part of the cost and expense of

any local improvement by bonds of the improvement district, issued to the contractor or issued and sold by the city; provided, that no ordinance initiating any local improvement shall be effective over the written objections of the owners of a majority of the lineal frontage and of the area within the limits of the proposed improvement district filed with the City Clerk prior to the final passage of such ordinance, unless it shall receive the affirmative vote of at least two-thirds of all the members of the City Council.

FRANCHISES

Section 144. Every grant of a franchise, right or privilege shall be subject to the right of the City Council, or the people of the city acting for themselves by the initiative and referendum, at any time subsequent to the grant, to repeal, amend or modify the said grant with due regard to the rights of the grantee and the interest of the public; and to cancel, forfeit and abrogate any such grant if the franchise granted thereby is not operated in full accordance with its provisions, or at all; and at any time during the grant to acquire, by purchase or condemnation, for the use of the city itself, all the property of the grantee within the limits of the public streets, acquired or constructed under the particular franchise in question, at a fair and just value, which shall not include any valuation of the franchise itself, which shall thereupon terminate; and every ordinance making any such grant shall contain a reservation of these rights of the City Council, and of the people of the city acting for themselves by the initiative and referendum, to so repeal, amend or modify said ordinance, and to so cancel, forfeit and abrogate the grant, and to so acquire the property of the grantee in the public streets acquired or constructed under said franchise, as hereinabove set forth. The City Council shall not consider or grant any application for extension of the period of any franchise, nor any new franchise covering all or any substantial part of the rights or privileges of any existing franchise, until within three years of the expiration of the existing grant, and then only after submission to and approval by majority vote of the qualified electors.

The City Council shall not grant authority to construct a street railway, or lay down street railway tracks along, upon, over or under any of the streets of the city, except in manner and on the terms following: Upon the application being made to the City Council for authority to construct and operate a street railway along, upon, over or under any of said streets, the City Council shall by

resolution determine whether such franchise, or any part thereof, shall be granted, and after such determination shall cause notice of such application and resolution to be published once a week for two consecutive weeks in the city official newspaper, at the expense of the applicant, Such resolution and notice shall specify the route or routes over and along which it proposes to grant such franchise, the period for which it is proposed to be granted, and shall further specify all the terms and conditions thereof, including maximum rates of fare, by cash and tickets, the transfer regulations prescribed and the annual percentage of not less than two per cent of gross receipts required to be paid into the city treasury. If the application be made by, or directly or indirectly in behalf of the grantee, or owner of any existing street railway system, or the route or routes asked for are such as constitute a virtual extension or connection with any existing system, even though there be no apparent identity of ownership, or probable community of interest, in any such case the franchise shall be granted only for a term equal to the unexpired franchise of the existing system with which the new line is proposed to, or can be conveniently connected, and transfer arrangements shall be stipulated in the grant. Common user trackage facilities and appurtenances shall be required in all franchises on any route, to be made available for other franchise grantees, and for the city itself at any time during the grant, upon contribution of a fair proportion of the cost and maintenance expense, not including any franchise valuation allowance, and if the compensation for such common user cannot be agreed voluntarily between respective grantees, or the city itself, it shall be fixed by arbitration, each party appointing one arbitrator, and if the two fail to agree, they shall appoint a third, and the result of such arbitration shall be binding upon the parties. It shall be the duty of the City Council to incorporate in every such franchise efficient provisions for the compulsory arbitration of all disputes which may arise between the grantee or his successors or assigns, and his, its or their employes, as to any matter of employment or wages. The proposed franchise shall further contain all other reservations and limitations set forth in this charter and the laws of the state. (Alternate proposition No. 1 submitted with this charter to be inserted here and become a part of this charter, if this charter is adopted and if said alternate proposition is separately adopted.)

The proposed franchise shall thereupon be offered and advertised for bids to ascertain the person, company or corporation who will accept, construct and operate under said franchise at the lowest rates of fare, to be substi-

tuted in lieu of the maximum rates set forth in the resolution. Bidding for the franchise shall be in accordance with provisions of this charter in relation to bids made on city contracts, so far as such provisions may be applicable, and the City Council may reject any and all bids and may refuse to grant a franchise for all or any part of the route for which application was made. Each bid must be accompanied by a certified check payable to the City Treasurer for the sum of one thousand dollars and the amount of the check shall be forfeited and paid to the city in case the successful bidder shall fail to accept the franchise, and upon acceptance, the sum so paid shall be credited to the grantee on account of percentages. The City Council shall consider the bids, and with due regard to cash and ticket fares, transfer regulations and connections, shall decide and designate the bidder whose proposal offers the lowest fares to the people, not exceeding the maximum rates named in the resolution. Thereupon, if the proposed franchise be for any new system, or includes any business thoroughfares or any trunk line or canyon route upon which no tracks have been laid under any previous franchise, then the said franchise shall be submitted to the vote of the qualified electors at the next ensuing general municipal election for their ratification or rejection. If the designated best bidder shall offer and provide the expense of a special election, the City Council may authorize the vote to be taken at a special election. If the proposed franchise be for an extension of an existing system in a residence district and does not include any trunk line or canyon route, the franchise shall not be submitted to referendum unless the City Council shall so direct, or a referendum petition signed by a number of qualified voters equal to not less than six per cent of the total registration for the previous year, be filed with the City Clerk, within thirty days after the official publication of the designation of the best bidder for the proposed franchise, and during said period of thirty days the franchise shall be in abeyance. If no referendum petition be filed, the City Council may finally pass the ordinance and grant the franchise. If a referendum petition be filed the franchise shall be submitted to vote of the qualified electors at the next general election, or at a special election, if the proposed grantee shall offer and provide the expense thereof, and the City Council shall authorize the same. Official publication, notices of election, conduct and manner of elections, preparation of official ballots, counting and canvassing of votes, and certifying of returns of any election on the granting of a franchise shall be done substantially as is provided for the submission to

vote of the people on initiative ordinances. If the proposed franchise ordinance receives in its favor a majority of all the votes cast for and against the same, it shall be deemed to be ratified, and the City Council may thereupon finally pass and adopt the same. If it fail to receive said majority in its favor, the franchise ordinance shall be deemed rejected and no further proceedings shall be had thereunder. The same methods of procedure shall obtain in the extension of any existing franchises, or any rights thereunder, as in the grant of a new franchise. No street railway franchise shall in any event be granted, extended or renewed to any date beyond December 31st, 1934.

A minority of the City Council, including not less than one-third of all the members elected, shall have the right and power to invoke a referendum vote on a franchise ordinance without the filing of any petition therefor.

Section 145. Every franchise for steam railroad tracks upon any street, alley or public place, shall contain a provision permitting joint user of such tracks by the city and the Port of Seattle, upon such terms and conditions as shall be specified in the ordinance granting such franchise.

LIQUOR LICENSES

Section 146. The power of the City Council to grant liquor licenses shall be subject to the limitations and restrictions hereinafter set forth.

(a) Hereafter no license (except a wholesale license as hereinafter defined) shall be granted to any person or persons, authorizing the sale or giving away or other disposal of any intoxicating, spirituous, malt, vinous, mixed or fermented liquors at any place within the limits of the City of Seattle outside of the districts hereinbelow designated for the granting of licenses, except as otherwise specifically hereinbelow provided. The City Council, in its discretion, subject to the limitations herein stated, shall have authority to grant such licenses within the limits of the four saloon patrol districts hereinbelow described, it being understood that the designation of any street in defining the boundary of any of the districts herein contained shall be taken to mean and include within the district premises with frontages upon either side of the street named, but when a specific margin of any boundary street is designated, it shall be taken to mean and include within the district only frontages upon said margin of said street.

Boundaries of Saloon Patrol District Number One:

Beginning at the intersection of First Avenue and Wall Street and running thence easterly on Wall Street

to the west margin of the alley between First and Second Avenues; thence southerly on the west margin of said alley to the south margin of Pine Street; thence easterly on the south margin of Pine Street to the west margin of Third Avenue; thence southerly on the west margin of Third Avenue to Pike Street; thence easterly on Pike Street to Fifth Avenue; thence southerly on the west margin of Fifth Avenue to a point seventy-five feet southerly from Pike Street; thence westerly, parallel with and seventy-five feet southerly from Pike Street to the west margin of the alley between Third and Fourth Avenues; thence southerly along the west margin of said alley to a point sixty feet northerly from Union Street; thence westerly, parallel with and sixty feet northerly from Union Street to a point sixty feet westerly from Third Avenue; thence southerly, parallel with and sixty feet westerly from Third Avenue to a point sixty feet southerly from Union Street; thence westerly, parallel with and sixty feet southerly from Union Street to the west margin of the alley between Second and Third Avenues; thence southerly along the west margin of said alley to the south margin of Cherry Street; thence easterly along the south margin of Cherry Street to Third Avenue; thence southerly along Third Avenue to Yesler Way; thence east along Yesler Way to Fifth Avenue South; thence south on Fifth Avenue South to King Street; thence east on King Street to Maynard Avenue; thence south on Maynard Avenue to Lane Street; thence east on Lane Street to Seventh Avenue South; thence south on Seventh Avenue South to Charles Street; thence east on Charles Street to Eighth Avenue South; thence south on Eighth Avenue South to the point of intersection of the east margin fo Eighth Avenue South with the west margin of the right-of-way of the Northern Pacific and Columbia and Puget Sound Railways; thence southerly along the west margin of said right-of-way to the north side of Nevada (formerly Rainier) Street; thence west along the north side of said Nevada Street to Eighth Avenue South; thence north along Eighth Avenue South to Hanford Street; thence westerly along Hanford Street to Sixth Avenue South; thence north along Sixth Avenue South to Holgate Street; thence west along Holgate Street to the east margin of Utah Street; thence north on the east margin of Utah Street to Connecticut Street; thence west on Connecticut Street to the east margin of Railroad Avenue; thence north along the east margin of Railroad Avenue to Yesler Way and continuing north along the east margin of Western Avenue to Columbia Street; thence easterly along the south margin of Columbia Street to the east margin of Post Street; thence northerly along

the east margin of Post Street to a point one hundred and twenty feet northerly from Madison Street; thence westerly, parallel with and one hundred twenty feet northerly from Madison Street to the east margin of Railroad Avenue; thence northerly along the easterly margin of Railroad Avenue to Wall Street; thence easterly on Wall Street to First Avenue and the place of beginning; including also frontages upon both sides of First Avenue from Wall Street to the south margin of Denny Way; provided, however, that premises with frontages upon Second Avenue between Pike Street and Pine Street, and premises with frontages upon Jackson Street between Third Avenue South and Fifth Avenue South shall not be deemed to be included within the above district.

Boundaries of Saloon Patrol District Number Two:

Ballard Avenue and one hundred feet on both sides thereof from the west margin of Seventeenth Avenue Northwest (formerly First Avenue West) to the south margin of the street platted as Jefferson Place; also a strip of land one hundred feet wide along the southwesterly side of Ballard Avenue extending from Jefferson Place to the northerly margin of lot eight, block seventy-two, Gilman Park Addition.

Boundaries of Saloon Patrol District Number Three:

The premises for which a license existed on March 3, 1908, at the northwest corner of Cloverdale Street and Eighth Avenue South; the premises for which a license existed on March 3, 1908, at the northwest corner of Caledonia Street and Eighth Avenue South; frontages on Valley Road between Orchard and Caledonia Street; the premises upon which a license existed on March 3, 1908, at or near the northeast corner of what is commonly known as the McNatt Ranch, within the limits of the former municipality of South Park, now a part of the City of Seattle.

Boundaries of Saloon Patrol District Number Four:

Beginning fifty feet west on Lucelle Street from the intersection of Lucelle Street and Duwamish Avenue; thence southerly and parallel with and including frontages on the west side of Duwamish Avenue to the south side of Vale Street; thence westerly on Vale Street to Twelfth Avenue South; thence southerly on Twelfth Avenue South to the north margin of Harney Street; provided, however, that premises with frontages on Duwamish Avenue at the northwest corner of Duwamish Avenue and Vega Street shall be deemed to be included within the above Number Four District.

(b) The City Council in its discretion, subject to the limitations herein stated, shall have authority to grant licenses for the sale or disposal of such liquors in bona fide commercial hotels within the limits of the hotel liquor license district described as follows, to-wit:

Boundaries of Hotel Liquor License District:

The territory lying east of and adjoining Saloon Patrol District Number One, particularly defined as follows: Bounded on the west by said District Number One; on the north by the south margin of Denny Way; on the south by King Street and on the east by the following, to-wit: The west margin of the alley between Fourth and Fifth Avenues from Denny Way southerly to one hundred twenty feet north of Pine Street; thence easterly parallel with Pine Street to the west margin of the alley between Sixth and Seventh Avenues; thence southerly along the west margin of said alley to Yesler Way; thence east to the west margin of the alley between Maynard Avenue and Seventh Avenue South; thence south along the west margin of said alley to King Street. Also the territory lying west of and adjoining Saloon Patrol District Number One, particularly defined as follows: Bounded on the north by a line parallel with and distant one hundred twenty feet northerly from Madison Street; on the west by the easterly margin of Railroad Avenue; on the south by Yesler Way, and on the east by said Saloon Patrol District Number One. Also all premises with frontages upon Second Avenue between Pike Street and Pine Street and all premises with frontages upon Jackson Street between Third Avenue South and Fifth Avenue South.

The authority to grant such licenses within the Hotel Liquor License District may be exercised by the City Council in the following cases, and not otherwise, namely: Any such license may be granted only for a bona fide commercial hotel, in which adequate and general provision is made for transient guests, and which has at least one hundred sleeping rooms in use for hotel purposes, all under a single management, to whom the license, if granted, shall be issued, and the license shall distinctly prescribe and limit the sale and disposal of liquor authorized under it to a defined room or other enclosed portion of the building, having no frontage upon or direct entrance from any street or alley, but having its entrance solely from within the hotel, and there shall be no sign or other advertisement or designation of such licensed location exposed so as to be read from any street or alley. Every such license within the Hotel Liquor

License District shall distinctly specify the terms and restrictions governing and controlling the same.

(c) Hereafter no license shall be granted within the saloon patrol district herein described, except that part of District Number One lying along and east of Sixth Avenue South between King and Hanford Streets, for any premises whereby the main entrance to the place of selling or disposing of the liquors shall be on any alley.

(d) Within the saloon patrol districts herein described, except that part of District Number One lying along and east of Sixth Avenue South, between King and Hanford Streets, no liquor license of any kind shall hereafter be granted for any premises situated within thirty feet of a street corner (meaning by corner the intersection of the marginal lines of two streets) except for premises for which valid licenses were outstanding and in actual use on January first, nineteen hundred and fourteen.

(e) No liquor license of any kind shall be granted for any premises situated within thirty feet of a street corner (as defined above) at any of the following street intersections, namely: Pike Street and First Avenue, Pike Street and Second Avenue, Madison Street and First Avenue, Madison Street and Second Avenue, James Street and Second Avenue, James Street and Third Avenue, Yesler Way and Second Avenue; provided, that this restriction shall not apply to any basement situated at any of said corners whose entrance is on one street and is distant at least sixty feet from the corner, such basement having no entrance, window or other communication with the other street.

(f) Within the saloon patrol districts herein described, except that part of District Number One lying along and east of Sixth Avenue South, between King and Hanford Streets, no license shall hereafter be granted which shall make the number of licensed places situated on the same block of land and fronting on the same street exceed two (including herein basements as well as other premises and counting all kinds of liquor licenses) except that in cases where there were outstanding on January first, nineteen hundred and fourteen, valid licenses for more than two licensed places situated on the same block of land and fronting on the same street, the City Council shall have the same discretion as in other cases to continue to grant licenses hereafter for the precise premises so in use under such licenses; provided, that when by reason of transfer or otherwise any premises falling within the foregoing exception shall

be abandoned as a place for selling such liquors, or be used for other purpose, said exception shall no longer apply to such premises.

(g) The aggregate number of liquor licenses outstanding in the city, exclusive of hotel licenses within the Hotel Liquor License District, and exclusive of purely wholesale licenses, as herein defined, shall not exceed three hundred and fifteen until the population of the city exceeds five hundred thousand.

(h) Every liquor license shall be specific, both as to the person, firm or corporation licensed and as to the particular premises where the same is to be used, and as to the person paying for the same. The City Council may, in its discretion, consent to the transfer of any license as to person or location, but no license shall be transferred to any location except one for which such license might be granted under these charter provisions.

(i) No transfer of a license, either as to person or location, shall be allowed or granted without the written consent of the person or corporation who has paid for the license, or his or its assignee. Such person or corporation shall be designated in the application for the license or in an assignment filed with the City Comptroller.

(j) Every grant of a license which is a renewal of a license theretofore existing for premises theretofore occupied as a licensed place for selling liquors shall be made in the name of the actual owner of the existing license or with the written consent of such owner, and any person paying or having paid the license fee to the city for any license shall be deemed to be the owner of the same for the purposes of this clause and the last preceding clause.

(k) No liquor license shall be granted for a longer period than one year. The sum required for any liquor license shall in no case be less than one thousand dollars per year except that licenses for the selling or giving away or other disposal of such liquors at wholesale only, which shall be known as wholesale licenses, shall in no case be less than four hundred fifty dollars per year.

A wholesale license shall in no case authorize or permit the sale, giving away or other disposal of liquor where the same or any part thereof is to be consumed on the premises where sold or otherwise disposed of, or in any premises used in connection therewith, and under such license the liquor must be sold, given away or disposed of in quantities of not less than one gallon, if

within any of the saloon patrol districts, and in quantities of not less than three gallons, if outside of said districts. Wholesale licenses outside of said saloon patrol districts shall not be granted except to manufacturers of liquors or bottlers thereof.

The sum required to be paid for any liquor license shall in no case be less than the amount required by the general laws of the state for houses or business of like character, and all license fees shall be collected and paid into the city treasury before the issuance of the license, and no remission of any such license fee shall be made during the period for which it is granted; and the bond required to be given by keepers or proprietors of saloons or drinking houses shall not in any case be fixed at less than two thousand dollars.

(l) Nothing contained in any of the provisions relating to liquor licenses shall be construed as requiring the City Council to grant any license whether in renewal of a previously existing license or otherwise or to consent to the transfer of any license.

CLAIMS

Section 147. Neither the City Council nor any officer, board or authority shall allow, make valid or in any manner recognize any demand against the city which was not at the time of its creation a valid claim against the same, nor shall they or any of them ever allow or authorize to be paid any demand which, without such action, would be invalid, or which shall then be barred by any statutes of limitation, or for which the city was never liable, and any such action shall be void.

Section 148. All claims for injuries to the person, or for damages to personal property alleged to have been caused or sustained by reason of defects, want of repair or obstruction of any of the highways, streets, alleys, sidewalks, crosswalks, or public ways, or in any of the public buildings belonging to, possessed or controlled by the city, shall be presented in writing to the Council within thirty days after such injuries shall be alleged to have been received. Such claim shall state the time, place, cause, nature and extent of the alleged injuries, so far as practicable, the actual residence of such claimant by street and number at the time of presenting such claim and for six months immediately prior to the time such claim for damages accrued, and shall be verified by the affidavit of the claimant, to the effect that the same is true. The omission to present any such claim in the manner or within the time in this section provided shall be a bar to an action against the city therefor.

CITY OFFICIAL NEWSPAPER

Section 149. The city may establish and, under the direction of the City Manager, publish and circulate an official newspaper. Any and all matters and proceedings required by law, charter or ordinance to be published, shall be published therein. The City Council shall fix and establish advertising and subscription rates therefor. Nothing shall be published in such newspaper unless it pertains strictly to the city's business. No political matter or anything which advertises or calls special attention to any officer, employe or department of the city, or to any candidate for office, shall be published therein. Until such city newspaper shall be established and published a newspaper of general circulation published in the city shall be designated by contract as the official newspaper.

TIDE LAND STREETS

Section 150. All streets, avenues and other public highways heretofore established upon, over or across any tide lands within the City of Seattle, or into the waters of Lake Washington, Lake Union, Green Lake or other lakes, streams or bodies of fresh water within the City of Seattle, either under and by virtue of the constitution and laws of the State of Washington or under and by virtue of any charter or ordinance of the City of Seattle, or by the dedication of any plat within the city, or by any other lawful authority established as public streets or highways, are hereby continued, established and declared to be public streets or highways of the City of Seattle, subject to the same power of the city to control, improve or vacate the same as is or shall be provided for other public streets and highways within the city.

Section 151. Whenever and wherever any street located or extended or to be located or extended across any harbor area, tide lands or shore lands shall be within any unit of the comprehensive scheme of harbor improvement now or hereafter adopted by the Port Commission of the Port of Seattle and ratified by vote of the people of the port district of the Port of Seattle, the control of said streets and the title to any lands belonging to the city which shall fall within the limits of such unit shall pass to and be vested in the Port of Seattle at the expiration of thirty days after the said Port Commission shall have adopted a resolution declaring that the port is prepared to make actual use of the same by the improvement thereof and a certified copy of such resolution shall have been filed with the City Clerk; provided, that as to any such street or lands there is nevertheless reserved to the

city such use of the same for city purposes as may not render impracticable the use of the same by the Port of Seattle for commerce and navigation, and, provided further that, if prior to the adoption of such resolution, the city shall have improved such street or lands the same shall not so pass or be vested unless and until the City Council shall have adopted an ordinance so declaring.

MISCELLANEOUS SUBJECTS

Section 152. All books and records of every office and department shall be open to the inspection of the public at any time during business hours. Copies or extracts from such books and records, duly certified, shall be given by the officer having the same in custody to any person demanding the same, and paying such fees as may be prescribed by ordinance.

Section 153. Except when otherwise provided by law or this charter, all public offices shall be kept open for business every day, except Sundays and legal holidays, from nine o'clock in the forenoon until five o'clock in the afternoon.

Section 154. Every officer authorized by law or ordinance to allow, audit or certify demands upon the treasury, or to make any official investigation, shall have power to administer oaths and affirmations and take and hear testimony concerning any matter or thing relating thereto.

Section 155. Every officer who shall approve, allow or pay any demand on the treasury not authorized by law, ordinance or this charter, shall be liable to the city individually and on his official bond for the amount paid by the city upon such demand in excess of the amount lawfully due from the city thereon.

Section 156. Unless otherwise provided by law or this charter, each officer, board or department authorized to appoint any deputy, clerk, assistant or employe, shall have the right to remove any person so appointed.

Section 157. The establishment or platting of new cemeteries, the extension of existing cemeteries and the establishment of mausoleums within the limits of the City of Seattle is hereby prohibited.

Section 158. No work shall be done by the city, or any officer or employe thereof, on any legal holiday or Sunday by way of construction of any public work, nor shall any work be done on such day, or between seven o'clock in the evening of any day and six o'clock in the

morning of the following day, by any corporation or other person by way of construction or removal of any structure upon, over, under or along any street, alley or public place within the city, except in case of extraordinary emergency, and then only upon the written permission of the City Manager. In case of violation of any provision of this section by any person or corporation owning any franchise in, over, under or along such street, alley or other public place, his or its right, title and interest in such franchise shall thereby be forfeited. In no case shall any corporation or person be permitted to commence the construction of any street or other railroad, telegraph, telephone, electric light line or other public utility in the city without first obtaining a permit therefor from the City Manager.

Section 159. Every officer or agent of the city, who shall have received or have any money belonging to the city, shall immediately pay over the same to the City Treasurer. If such officer or agent shall fail to pay over such money to the City Treasurer within forty-eight hours after receiving the same, he shall be liable to the city in double such amount.

Section 160. A contingent fund may be established and maintained with which to pay discharged city employes, freight and express charges, telegrams, postage and other incidental expenses.

Section 161. Each department, bureau, division and office shall make annual and such other reports to the City Council as it may prescribe by ordinance.

Section 162. Every officer or employe of the city, whose duty it shall be to enforce any law or ordinance, or any rule or regulation of a department, shall be vested with police power.

Section 163. All moneys possessed by and revenues accruing to the city during the year nineteen hundred and fifteen shall continue to be accounted for in and to be disbursed from the various funds existing at the time this charter shall take effect until such time or times as, in the course of administration and reorganization, new funds shall be created by budget or otherwise established. When such new funds are established the balances, in funds replaced or discontinued, shall be credited by transfer or apportionment to the new funds to which such balances shall be assigned.

Section 164. All ordinances in force at the time this charter shall go into effect, and not inconsistent therewith, shall remain in force until repealed or until they expire by limitation.

Section 165. The present charter of the City of Seattle is hereby repealed to take effect on the fifteenth day of March, 1915.

Section 166. All provisions of this charter with reference to nominations and elections shall be in force from and after the first day of January, 1915. All other provisions of this charter shall become effective at twelve o'clock, noon, on the fifteenth day of March, 1915. At the general municipal election to be held on the first Tuesday after the first Monday in March, 1915, a Mayor and thirty Councilmen shall be elected. Nominations for such officers shall be made and such election shall be conducted in all respects as in this charter provided, and upon the election and qualification of said Mayor and Councilmen the terms of the present Mayor and of all the members of the present City Council shall cease and terminate on the fifteenth day of March, 1915, at twelve o'clock, noon, but all other officers, subordinate officers and employes of the City of Seattle shall continue in office and in the performance of their duties until their successors are appointed and qualified under the provisions of this charter. It is the express intention hereby to continue the existing city government of the City of Seattle, except as to matters pertaining to the nomination and election of officers under this charter, until the first election and qualification of officers as in this charter provided, but no longer.

AMENDMENTS

Section 167. The City Council may propose and submit to the electors of the city any amendment to this charter at any general municipal election to be held at least sixty days after the adoption by the Council of the resolution of submission. Any amendment shall also be submitted to the voters upon the petition of qualified electors equal in number to fifteen per cent of the votes cast at the last preceding municipal election, which petition shall be filed with the City Clerk at least ninety days before the next general municipal election and shall be checked by him in the manner provided for initiative ordinances; provided, that prior to the circulation of said petition for signatures, it shall be submitted to the Corporation Counsel, who shall attach thereto his opinion as to its legality. Any amendment so proposed, either by the City Council or by petition, shall be published in the manner provided by law. If any such proposed amendment is approved by a majority of the electors voting thereon, it shall become a part of this charter; provided, that if more than one amendment is submitted at

the same election the same shall be submitted in such manner that each may be voted upon separately.

ALTERNATE PROPOSITION NO. 1

The following separate alternate proposition shall be submitted to the people for adoption or rejection at the election to be held upon the submission of this charter:

Alternate Proposition Number One: "Provided, however, that if the proposed franchise be for an extension of an existing system in a residence district, and does not include any trunk line or canyon route, the City Council, in its discretion, may grant the franchise without the provision for common user trackage facilities and appurtenances, and without the reservation that said grant is subject to the right of the City Council or the people of the city acting for themselves by the initiative and referendum, at any time subsequent to the grant, to repeal, amend or modify the said grant with due regard to the rights of the grantee and the interest of the public."

If said proposed charter is adopted at said election, and a majority of the ballots cast at said election on said alternate proposition number one be in favor of its adoption, then such alternate proposition number one shall become a part of section 144 of said charter, at the end of paragraph two thereof as indicated in said charter.

CERTIFICATE

STATE OF WASHINGTON, }
COUNTY OF KING, } ss.
CITY OF SEATTLE. }

We, the undersigned freeholders of the City of Seattle, elected at the general municipal election held in said city on the 3d day of March, 1914, under the provisions of the constitution and laws of the State of Washington, to prepare a new charter by altering, changing, revising, adding to or repealing the existing charter of the City of Seattle, do hereby certify that the foregoing charter has been prepared by us and is hereby submitted as the charter for said city.

IN WITNESS WHEREOF, we have hereunto set our hands this 2d day of May, A. D. 1914.

WM. HICKMAN MOORE,
Chairman.

O. B. THORGRIMSON,
Secretary.

W. A. MAJOR,
WILLIAM M. CALHOUN,
C. J. ERICKSON,
A. V. BOUILLON,
T. S. LIPPY,
ELMER E. TODD,
JOSIAH COLLINS,
JAS. B. EAGLESON,
WM. PITT TRIMBLE.

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